



Journal of the Senate

Number 2—Regular Session

Wednesday, March 9, 2011

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CALL TO ORDER

The Senate was called to order by President Haridopolos at 9:00 a.m.
A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Excused: Senator Bullard

PRAYER

The following prayer was offered by Dr. Albert Simpson, Jr., Senior Pastor, Philemon Baptist Church, Jacksonville:

“Our Father which art in heaven, hallowed be thy name, thy kingdom come, thy will be done, as in heaven, so in earth. Give us day by day our daily bread and forgive us our sins, for we also forgive everyone that is indebted to us. And lead us not into temptation, but deliver us from evil.”

Father, thank you for the opportunity to petition you in behalf of our legislative bodies, forty Senators and one hundred and twenty House of Representatives and their families, and also our executive branches, judicial branches, and the various agencies that are charged with the statutory responsibilities to administer the laws of our state. Bless their families.

O Father, hear us as we lift our local governmental officers and their families up, our churches as our conscience to synergize our efforts as civil and spiritual servants. O Father, bless our men and women in our military branches and their families, and the citizens of this great state. Hear us, O Father, and guide this body through this legislative session, and as we remember the words from the prophet Micah, I quote, “He hath shewed thee, O man, what is good and what doth the Lord require of thee, but to do justly and to love mercy and to walk humbly with thy God.” O Father, we thank you in thy name.

PLEDGE

Senate Pages Donald McCloud, Jr. of Monticello; Christine Martinez of Tampa; Alex Merrill of Osprey; Megan Gallagher of Freeport; Grace Kurecki and Brittany Detert of Venice, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Flores—

By Senators Flores and Diaz de la Portilla—

SR 660—A resolution congratulating the Florida International University Golden Panthers football team on achieving its first Sun Belt Conference championship title and first-ever bowl game win at the Little Caesars Pizza Bowl.

WHEREAS, since 1965, Florida International University has been Miami-Dade County’s public university, currently serving more than 41,000 students, and

WHEREAS, more than 100,000 FIU graduates live and work in South Florida, and

WHEREAS, the FIU football program was established in 1999 and had its inaugural season in 2002 in Division I-AA, and

WHEREAS, the FIU Golden Panthers moved to Division I-A in 2005, joining the Sun Belt Conference, and

WHEREAS, on November 27, 2010, during its eighth season, the FIU football team for the first time won the Sun Belt Conference championship title with a 31-24 victory over the Arkansas State Red Wolves at FIU Stadium, and

WHEREAS, on December 26, 2010, in its first-ever bowl appearance, the FIU football team played in front of a national audience in the Little Caesars Pizza Bowl at Ford Field in Detroit, Michigan, and

WHEREAS, FIU won the Little Caesars Pizza Bowl with a 34-32 victory against the University of Toledo, and

WHEREAS, FIU wide receiver Eugene “T.Y.” Hilton was named the Little Caesars Pizza Bowl Most Valuable Player, after he posted three catches for 32 yards and a touchdown and an 89-yard kickoff return for a touchdown and was instrumental on a 4th-and-17 conversion that eventually set up the game-winning field goal, and

WHEREAS, kicker Jack Griffin connected on a 34-yard field goal as time expired to clinch the victory for the FIU Golden Panthers, and

WHEREAS, FIU football team members Marquis Rolle, Willis Wright, Junior Mertile, Larvez Mars, Eugene “T.Y.” Hilton, Wayne Times, Jeremiah Harden, Solomon Smith, Anthony Gaitor, Khambrel McGee, Kendrick Rhodes, Glenn Coleman, Ashlyn Parker, Jake Medlock, Wesley Carroll, Toronto Smith, Wayne Younger, Colt Anderson, Franklin Brown, Dudley LaPorte, Kreg Brown, Randy Williams, Chuck Grace, Markeith Russell, Terrance Taylor, Emmanuel Souarin, Jonathan Cyprien, Darian Mallary, Jose Cheeseborough, Darriert Perry, Dezariah Johnson, Jonathan Faucher, Jarvis Wilson, Justin Halley, Cain Elliot, Zach Schaubaut, Robert Boswell, Winston Fraser, Trenard Turner, Brandon Bennett, Jarrell McGee, Derrick Jones, Jr., Jack Griffin, Sam Miller, Josh Brisk, Kenneth Dillard, Torrence Seymour, Caleb Vincent, Antwoine Bell, Jeremy Jermin, Aaron Davis, Michael Davies, Sam Gervais, Kasey Smith, Junior Delpe, Dylan Lynch, David Delsoin, Anton

Graham, Nick Thorstenson, Giancarlo Revilla, Rupert Bryan, Jr., Gregory Hickman, Michael Cal, Dereck Wimberly, Jr., Kenneth White, Donald Senat, Christopher Edwards, Curtis Bryant, Chris Nasiff, Mitch MacClugage, David Istanich, Kevin Van Kirk, Austin Tottle, Caylin Hauptmann, Cedrick Davis, Stephen Bailey, Chris Cawthon, Andre Pound, Brad Serini, Cedric Mack, James Wiggins, Ty Frierson, Jairus Williams, Greg Ellingson, Ariel Martinez, Michael Curry, Mitch Wozniak, Joey Harris, Mike Jean-Louis, Jacob Younger, Rocky Vann, Jordan White, Paul Crawford, Andrew Mattox, James Jones, Joshua Forney, Tourek Williams, Jerico Lee, and Isame Faciane, contributed extraordinary performances throughout the regular season and the Little Caesars Pizza Bowl, and

WHEREAS, although the FIU football team lost Number 19, Kendall Berry, in March 2010 in a tragic incident that caused his untimely death, his spirit was very much present with the team throughout the season, and

WHEREAS, FIU Head Coach Mario Cristobal, who provided strong, wise leadership and instilled a solid work ethic in the football team, was named the Sun Belt Conference Coach of the Year, and

WHEREAS, Coach Cristobal has been commended by the National Collegiate Athletic Association (NCAA) for “the improved academic performance of the football team since the arrival of (Coach Cristobal) in December 2006,” the team’s 74-point increase in the all-important Academic Progress Rate, and

WHEREAS, the FIU coaching and support staff, which includes Athletic Director Pete Garcia, Defensive Coordinator Geoff Collins, Offensive Coordinator Scott Satterfield, Cedric Calhoun, Greg Laffere, Alex Mirabal, Juan Navarro, Frank Ponce, Jeff Popovich, Apollo Wright, Phil Ockinga, Roderick Moore, Dennis Smith, Tony Egues, Dan Hernandez, Jared Brookman, and Andrew Green, exhibited exemplary leadership and guidance to the team, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate congratulates the FIU football team for its first-ever bowl game victory in the 2010 Little Caesars Pizza Bowl and for its outstanding performance during the 2010 season, which included the Sun Belt Conference championship.

BE IT FURTHER RESOLVED that the Florida Senate recognizes and praises the achievements of the FIU Golden Panthers football players, coaches, and staff, whose hard work, dedication, and resiliency proved instrumental throughout the season.

BE IT FURTHER RESOLVED that the Florida Senate commends the entire FIU community of students, alumni, faculty, staff, administrators, friends, and loyal fans in South Florida and beyond for its spirit and dedication.

—was introduced out of order and read by title. On motion by Senator Flores, **SR 660** was read the second time in full and adopted.

On motion by Senator Bennett—

By Senator Bennett—

SR 1136—A resolution recognizing March 2011 as “Brain Injury Awareness Month” in Florida.

WHEREAS, 100,000 Floridians annually sustain a traumatic brain injury, and

WHEREAS, more than 8,400 Floridians sustain permanent, life-long disabilities from a traumatic brain injury that results in a life-altering experience that may include serious physical, cognitive, and emotional impairments, and

WHEREAS, more than 210,000 Floridians currently live with permanent disabilities resulting from a traumatic brain injury, but the lack of public awareness is so vast that traumatic brain injury is known in the disability community as the “silent epidemic,” and

WHEREAS, traumatic brain injury attributable to roadside bombs and blasts is the signature wound of the global War on Terror, and

military personnel who return to Florida with traumatic brain injuries require additional state and local resources, and

WHEREAS, most cases of traumatic brain injury are preventable, and enhanced public awareness of traumatic brain injury is essential in preventing and developing effective treatment and providing necessary resources, and

WHEREAS, the Brain Injury Association of Florida, Inc., has recognized March as “Brain Injury Awareness Month,” NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That March 2011 is recognized as “Brain Injury Awareness Month” in Florida.

—was introduced out of order and read by title. On motion by Senator Bennett, **SR 1136** was read the second time in full and adopted.

On motion by Senator Bennett—

By Senator Bennett—

SR 1576—A resolution honoring Mayor John Land, the longest-serving mayor in the State of Florida and the longest-serving full-time mayor in the United States of America.

WHEREAS, John Land was born in Plant City, moved to Apopka at a young age, and attended the University of Florida, and

WHEREAS, John Land served in the United States Army during World War II and was a participant in two campaigns in the European Theater of Operations, and

WHEREAS, upon his return from the military, John Land returned to Apopka, where he went into the manufacturing business before being elected as Mayor of the City of Apopka in 1949, a position he held from January 1, 1950, to January 1, 1968, and

WHEREAS, Mayor John Land was again elected to serve as the Mayor of the City of Apopka in 1970 and he has continued to serve the citizens of Apopka ever since, and

WHEREAS, among his many honors during his 58 years as the Mayor of the City of Apopka, Mayor John Land was the recipient of the 1978 Florida League of Cities’ E. Harris Drew Municipal Officer of the Year award and was declared to be a “State of Florida Treasure,” and

WHEREAS, Mayor John Land, the longest-serving mayor in the State of Florida and the longest-serving full-time mayor in the United States of America, holds the honor of being the only elected official in the state who serves on the Board of Directors of the Florida League of Cities without appointment or election, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate honors Mayor John Land for his many years of public service and for his outstanding contributions to the citizens of the City of Apopka.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Mayor John Land as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Bennett, **SR 1576** was read the second time in full and adopted.

BILLS ON THIRD READING

SENATOR BENNETT PRESIDING

CS for SJR 2—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution, relating to health care services.

Be It Resolved by the Legislature of the State of Florida:

That the following creation of Section 28 of Article I of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 28. *Health care services.*—

(a) *To preserve the freedom of all residents of the state to provide for their own health care:*

(1) *A law or rule may not compel, directly or indirectly, any person or employer to purchase, obtain, or otherwise provide for health care coverage.*

(2) *A person or an employer may pay directly for lawful health care services and may not be required to pay penalties or taxes for paying directly for lawful health care services. A health care provider may accept direct payment for lawful health care services and may not be required to pay penalties or taxes for accepting direct payment from a person or an employer for lawful health care services.*

(b) *The private market for health care coverage of any lawful health care service may not be abolished by law or rule.*

(c) *This section does not:*

(1) *Affect which health care services a health care provider is required to perform or provide.*

(2) *Affect which health care services are permitted by law.*

(3) *Prohibit care provided pursuant to general law relating to workers' compensation.*

(4) *Affect laws or rules in effect as of March 1, 2010.*

(5) *Affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing a person or an employer for paying directly for lawful health care services or a health care provider for accepting direct payment from a person or an employer for lawful health care services, except that this section may not be construed to prohibit any negotiated provision in any insurance contract, network agreement, or other provider agreement contractually limiting copayments, coinsurance, deductibles, or other patient charges.*

(6) *Affect any general law passed by a two-thirds vote of the membership of each house of the legislature after the effective date of this section, if the law states with specificity the public necessity that justifies an exception from this section.*

(d) *As used in this section, the term:*

(1) *“Compel” includes the imposition of penalties or taxes.*

(2) *“Direct payment” or “pay directly” means payment for lawful health care services without a public or private third party, not including an employer, paying for any portion of the service.*

(3) *“Health care system” means any public or private entity whose function or purpose is the management of, processing of, enrollment of individuals for, or payment, in full or in part, for health care services, health care data, or health care information for its participants.*

(4) *“Lawful health care services” means any health-related service or treatment, to the extent that the service or treatment is permitted or not prohibited by law or regulation at the time the service or treatment is rendered, which may be provided by persons or businesses otherwise permitted to offer such services.*

(5) *“Penalties or taxes” means any civil or criminal penalty or fine, tax, salary or wage withholding or surcharge, or named fee with a similar effect established by law or rule by an agency established, created, or controlled by the government which is used to punish or discourage the exercise of rights protected under this section. For purposes of this section only, the term “rule by an agency” may not be construed to mean any*

negotiated provision in any insurance contract, network agreement, or other provider agreement contractually limiting copayments, coinsurance, deductibles, or other patient charges.

BE IT FURTHER RESOLVED that the following title and statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE I, SECTION 28

HEALTH CARE SERVICES.—Proposing an amendment to the State Constitution to prohibit laws or rules from compelling any person or employer to purchase, obtain, or otherwise provide for health care coverage; permit a person or an employer to purchase lawful health care services directly from a health care provider; permit a health care provider to accept direct payment from a person or an employer for lawful health care services; exempt persons, employers, and health care providers from penalties and taxes for paying directly or accepting direct payment for lawful health care services; and prohibit laws or rules from abolishing the private market for health care coverage of any lawful health care service. Specifies that the amendment does not affect which health care services a health care provider is required to perform or provide; affect which health care services are permitted by law; prohibit care provided pursuant to general law relating to workers' compensation; affect laws or rules in effect as of March 1, 2010; affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing a person or an employer for paying directly for lawful health care services or a health care provider for accepting direct payment from a person or an employer for lawful health care services; or affect any general law passed by two-thirds vote of the membership of each house of the Legislature, passed after the effective date of the amendment, provided such law states with specificity the public necessity justifying the exceptions from the provisions of the amendment. The amendment expressly provides that it may not be construed to prohibit negotiated provisions in insurance contracts, network agreements, or other provider agreements contractually limiting copayments, coinsurance, deductibles, or other patient charges.

—was read the third time in full.

On motion by Senator Haridopolos, **CS for SJR 2** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Evers	Montford
Alexander	Fasano	Negron
Altman	Flores	Norman
Benacquisto	Gaetz	Oelrich
Bennett	Garcia	Richter
Bogdanoff	Gardiner	Simmons
Dean	Hays	Storms
Detert	Jones	Thrasher
Diaz de la Portilla	Latvala	Wise
Dockery	Lynn	

Nays—10

Braynon	Rich	Smith
Hill	Ring	Sobel
Joyner	Sachs	
Margolis	Siplin	

SPECIAL ORDER CALENDAR

THE PRESIDENT PRESIDING

SB 916—A bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2011 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2011 shall be effective immediately upon publication; providing that general laws enacted during the 2010 regular session and prior thereto and not included in the Florida Statutes 2011 are repealed;

providing that general laws enacted during the November 16, 2010, special session and the 2011 regular session are not repealed by this adoption act; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote **SB 916** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 944—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 16.0155, 28.36, 102.012, 112.534, 206.608, 213.67, 283.30, 283.33, 283.43, 285.710, 288.0659, 288.106, 288.9604, 316.008, 319.30, 320.03, 321.05, 327.73, 339.135, 341.302, 373.036, 376.011, 380.0552, 380.503, 381.0065, 401.465, 402.7305, 403.7032, 403.891, 411.01, 435.03, 443.091, 443.131, 479.01, 494.00331, 550.334, 550.3345, 553.77, 624.310, 627.4605, 627.711, 633.081, 677.105, 893.055, 893.0551, 1002.69, 1003.428, 1003.429, and 1008.34, F.S.; and reenacting ss. 61.30, 163.3202, 369.317, 443.141, 497.372, and 718.111, F.S.; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote **SB 944** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 924—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 212.08(7)(ccc), 267.171, 288.1162(6)(b), 288.95155(2)(b), 288.99, 316.1893(2), 320.0609(2)(c), 320.131(1)(m), 379.2211, 379.2212, 400.179(2)(e), 420.9072(7)(b), 494.0017, 494.0029, 494.00295, 494.0031, 494.0032, 494.0033, 494.0034, 494.0041, 494.0061, 494.0062, 494.0064, 494.0065, 494.0072, 624.4072, 1006.15(8), and 1013.37(6), F.S.; and amending ss. 339.135(4)(a) and 377.6015(1)(a), F.S.; to delete provisions which have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the 2011 Florida Statutes only through a reviser's bill duly enacted by the Legislature; amending ss. 14.2015, 212.05, 213.053, and 220.192, F.S., to conform cross-references; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote **SB 924** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

SB 946—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 1000.01, 1000.02, 1000.04, 1000.05, 1000.06, 1000.07, 1000.21, 1001.02, 1001.03, 1001.10, 1001.11, 1001.20, 1001.27, 1001.271, 1001.28, 1001.43, 1001.60, 1001.61, 1001.62, 1001.63, 1001.64, 1001.65, 1001.705, 1001.706, 1002.20, 1002.21, 1002.33, 1002.34, 1002.41, 1002.45, 1003.03, 1003.41, 1003.4156, 1003.433, 1003.435, 1003.49, 1003.51, 1003.52, 1004.02, 1004.03, 1004.04, 1004.05, 1004.06, 1004.07, 1004.085, 1004.095, 1004.226, 1004.645, 1004.648, 1004.65, 1004.66, 1004.67, 1004.68, 1004.70, 1004.71, 1004.725, 1004.726, 1004.74, 1004.75, 1004.77, 1004.78, 1004.79, 1004.80, 1004.81, 1004.86, 1004.91, 1004.92, 1004.93, 1004.94, 1004.95, 1004.97, 1004.98, 1004.99, 1005.21, 1006.15, 1006.17, 1006.50, 1006.51, 1006.55, 1006.60, 1006.62, 1006.63, 1006.65, 1006.68, 1006.70, 1006.71, 1006.72, 1007.21, 1007.22, 1007.23, 1007.235, 1007.24, 1007.25, 1007.2615, 1007.262, 1007.263, 1007.264, 1007.265, 1007.27, 1007.271, 1007.272, 1007.28, 1007.33, 1007.34, 1007.35, 1008.30, 1008.31, 1008.32, 1008.345, 1008.385, 1008.405, 1008.41, 1008.42, 1008.43, 1008.45, 1009.21, 1009.22, 1009.23, 1009.25, 1009.26, 1009.265, 1009.27, 1009.28, 1009.285, 1009.286, 1009.29, 1009.40, 1009.42, 1009.44, 1009.50, 1009.505, 1009.533, 1009.535, 1009.55, 1009.56, 1009.60, 1009.605, 1009.65, 1009.67, 1009.70, 1009.72, 1009.77, 1009.89, 1009.891, 1009.97, 1009.971, 1009.98, 1009.981, 1010.01, 1010.02, 1010.03, 1010.04, 1010.06, 1010.07, 1010.08, 1010.09, 1010.11, 1010.22, 1010.23, 1010.30, 1010.33, 1010.34, 1010.58, 1011.01, 1011.011, 1011.012, 1011.30, 1011.31, 1011.32, 1011.51, 1011.62, 1011.68, 1011.75, 1011.80, 1011.801, 1011.81, 1011.82, 1011.83, 1011.84, 1011.85, 1011.86, 1012.01, 1012.35, 1012.56, 1012.80, 1012.81, 1012.82, 1012.83, 1012.84, 1012.85, 1012.855, 1012.86, 1012.865, 1012.87, 1012.875, 1012.88, 1012.885, 1012.98, 1013.01, 1013.02, 1013.03, 1013.12, 1013.13, 1013.19, 1013.23, 1013.231, 1013.25, 1013.27, 1013.28, 1013.31, 1013.36, 1013.37, 1013.371, 1013.40, 1013.44, 1013.51, 1013.52, 1013.60, 1013.64, 1013.65, and 1013.81, F.S., to conform to the directive in section 21 of chapter 2010-70, Laws of Florida, to prepare a reviser's bill for consideration by the 2011 Regular Session of the Legislature to substitute the term "Florida College System Institution" for the terms "Florida college," "community college," and "junior college" where those terms appear in the Florida K-20 Education Code; providing an effective date.

—was read the second time by title. On motions by Senator Thrasher, by two-thirds vote **SB 946** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Detert	Gardiner
Alexander	Diaz de la Portilla	Hays
Altman	Dockery	Hill
Benacquisto	Evers	Jones
Bennett	Fasano	Joyner
Bogdanoff	Flores	Latvala
Braynon	Gaetz	Lynn
Dean	Garcia	Montford

Negron	Ring	Sobel
Norman	Sachs	Storms
Oelrich	Simmons	Thrasher
Rich	Siplin	Wise
Richter	Smith	

Nays—None

On motion by Senator Wise—

CS for CS for SB 736—A bill to be entitled An act relating to education personnel; providing a short title; amending s. 1012.34, F.S.; revising provisions relating to the evaluation of instructional personnel and school administrators; requiring the Department of Education to approve each school district's instructional personnel and school administrator evaluation systems; requiring reporting by the Commissioner of Education relating to the evaluation systems; providing requirements and revising procedures and criteria for the evaluation systems; requiring the commissioner to approve or select and the State Board of Education to adopt formulas for school districts to use in measuring student learning growth; requiring the state board to adopt rules relating to standards and measures for implementation of the evaluation systems; amending s. 1008.22, F.S.; requiring school districts to administer assessments for each course offered in the district; amending s. 1012.22, F.S.; revising provisions relating to instructional personnel and school administrator compensation and salary schedules; providing requirements for a performance salary schedule, a grandfathered salary schedule, adjustments, and supplements; revising criteria for the promotion of instructional personnel; creating s. 1012.335, F.S.; providing employment criteria for instructional personnel hired on or after July 1, 2011; providing definitions; providing grounds for suspension or dismissal; requiring rules to define the term "just cause"; providing that certain individuals who are hired as instructional personnel are ineligible for contracts issued under s. 1012.33, F.S.; amending s. 1002.33, F.S.; requiring charter schools to comply with provisions relating to compensation and salary schedules, workforce reductions, contracts with instructional personnel hired on or after July 1, 2011, and certain requirements for performance evaluations; amending s. 1003.621, F.S.; requiring academically high-performing school districts to comply with additional requirements for personnel; amending s. 1006.09, F.S.; conforming provisions to changes made by the act; amending s. 1012.07, F.S.; revising the methodology for determining critical teacher shortage areas; amending s. 1012.2315, F.S.; providing reporting requirements relating to instructional personnel and school administrator performance; amending s. 1012.27, F.S.; revising the criteria for transferring a teacher; conforming provisions to changes made by the act; amending s. 1012.28, F.S.; authorizing a principal to refuse to accept the placement or transfer of instructional personnel under certain circumstances; amending s. 1012.33, F.S.; revising provisions relating to contracts with certain education personnel; revising just cause grounds for dismissal; deleting provisions to conform to changes made by the act; revising the criteria for renewing a professional service contract; requiring that a district school board's decision to retain personnel be primarily based on the employee's performance; repealing s. 1012.52, F.S., relating to legislative intent and findings to improve student achievement and teacher quality; amending s. 1012.795, F.S.; conforming provisions to changes made by the act; authorizing an exemption from requirements for performance evaluation systems and compensation and salary schedules for certain school districts; providing that specified provisions of law do not apply to rulemaking required to administer the act; providing for the repeal of certain special acts or general laws of local application relating to contracts for instructional personnel or school administrators; providing for application of specified provisions of the act; providing for severability; providing effective dates.

—was read the second time by title.

Senator Montford moved the following amendment which failed:

Amendment 1 (599634)—Delete lines 719-743 and insert:

(d) "Professional performance contract" means an employment contract for instructional personnel for a period of 3 school years, which shall be renewed for additional 3-year periods as long as the individual has not received two consecutive unsatisfactory evaluations under s. 1012.34, two unsatisfactory evaluations within a 3-year period under s. 1012.34, or

three evaluations of needs improvement within any 5-year period under s. 1012.34.

(2) EMPLOYMENT—

(a) Beginning on July 1, 2011, each individual newly hired as instructional personnel by a Florida school district shall receive a probationary contract.

(b) The district school board may issue an annual contract to instructional personnel who have successfully completed the probationary contract if the individual:

1. Holds a professional certificate or temporary certificate issued pursuant to s. 1012.56 and rules of the State Board of Education.

2. Has been recommended by the district school superintendent for the annual contract based upon the individual's evaluation, as determined under s. 1012.34, and approved by the district school board.

(c) Upon completion of no less than 3 years of employment in the same school district within a 5-year period, except for leave duly authorized and granted, instructional personnel recommended for additional employment shall be awarded a professional performance contract. Instructional personnel may be required to serve a fourth year of employment before becoming eligible to receive a professional performance contract when prescribed by the district school board for good reason.

1. A professional performance contract may be offered by a district school board to instructional personnel only if the individual:

a. Holds a professional certificate or temporary certificate as prescribed by s. 1012.56 and rules of the State Board of Education.

b. Has been recommended by the district school superintendent for further employment and approved by the district school board based on successful performance of duties and demonstration of professional competence under s. 1012.34.

c. Has not received two consecutive unsatisfactory evaluations under s. 1012.34, two unsatisfactory evaluations within a 3-year period under s. 1012.34, or three evaluations of needs improvement within any 5-year period under s. 1012.34.

2. A district school board may issue a professional performance contract after July 1, 2011, to any instructional personnel staff member who has previously held a professional performance contract, a professional service contract, or a continuing contract in the same or another school district within this state. Any instructional personnel staff member who holds a professional service contract or a continuing contract may, but is not required to, exchange such contract for a professional performance contract in the same district.

3. If a professional performance contract is not renewed by the district school board based on performance of duties and demonstration of professional competence of the individual under s. 1012.34, upon the recommendation of the superintendent and upon the approval of the district school board, the individual may be appointed to up to three additional annual contracts or not be offered an additional contract. At the time of making such recommendation to the district school board, the superintendent shall state the performance-based reason for his or her recommendation and the district school board shall take final action on such recommendation.

MOTION

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 12:30 p.m.

SENATOR BENNETT PRESIDING

Pursuant to Rule 4.19, **CS for CS for SB 736** was placed on the calendar of Bills on Third Reading.

On motion by Senator Thrasher, the rules were waived and the Senate reverted to—

REPORTS OF COMMITTEES

BEFORE THE STATE OF FLORIDA COMMISSION ON ETHICS

In re: Michael Haridopolos,
Respondent.

Complaint No. 09-169

JOINT STIPULATION OF FACT, LAW, AND RECOMMENDED ORDER

Respondent, Michael Haridopolos and the Advocate for the Florida Commission on Ethics enter into this Joint Stipulation of Fact, Law, and Recommended Order with respect to the above-styled Complaint. Subject to acceptance by the Commission on Ethics, the parties agree that they enter into this stipulated settlement in lieu of further hearings in this cause. The parties stipulate as follows:

STIPULATED FINDINGS OF FACT

1. At all times material to this Complaint, Respondent served as a member of the Florida Senate, and as such was subject to the provisions of the Code of Ethics for Public Officers and Employees, Part III, Chapter 112, Florida Statutes.

2. On December 14, 2009, a sworn Complaint was filed with the Commission on Ethics alleging that Respondent had violated the Code of Ethics.

3. Pursuant to Section 112.322, Florida Statutes, the Executive Director of the Commission on Ethics found that the Complaint was legally sufficient and ordered a preliminary investigation of the Complaint for a probable cause determination of whether Respondent had violated the Code of Ethics. The Report of Investigation was released on September 17, 2010.

4. On October 22, 2010 the Commission on Ethics found probable cause to believe Respondent had violated Section Article II, section 8(a) and (i) of the Florida Constitution. The allegations are:

- (a) Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, by failing to fully disclose his financial interests in 2004.
- (b) Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, by failing to fully disclose his financial interests in 2005.
- (c) Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, by failing to fully disclose his financial interests in 2006.
- (d) Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, by failing to fully disclose his financial interests in 2007.
- (e) Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, by failing to fully disclose his financial interests in 2008.

5. On March 24, 2010 and September 14, 2010 Respondent filed two "Forms 6X, Amendment to Full and Public Disclosure of Financial Interests" which corrected the errors and omissions to the above financial disclosures for the years 2004, 2005, 2006, 2007, and 2008.

6. Respondent admits the facts as set forth in the Report of Investigation, which is specifically incorporated by reference in this Joint Stipulation.

STIPULATED CONCLUSIONS OF LAW

7. Respondent is subject to the provisions of Part III, Chapter 112, Florida Statutes, the Code of Ethics for Public Officers and Employees.

8. The Commission on Ethics has jurisdiction over the Complaint as filed in and over Respondent.

9. Respondent violated Article II, Section 8(a) and (i) of the Florida Constitution, by failing to fully disclose his financial interests in 2004, 2005, 2006, 2007, and 2008, by failing to fully disclose financial interests in 2004, 2005, 2006, 2007, and 2008, by failing to fully disclose financial interests.

10. Respondent admits the allegation as set forth in paragraph four (4) of the Stipulated Findings of Fact, above.

STIPULATED RECOMMENDED ORDER

11. The Advocate accepts Respondent's stipulation in this proceeding.

12. The Advocate and Respondent have entered into this Joint Stipulation and urge the Commission on Ethics to approve it in lieu of further hearings before the Commission in this cause.

13. Therefore, the Advocate recommends that:

- (a) The Commission on Ethics approve this Joint Stipulation, embodying the stipulations, admissions, and recommendations of the parties; and
- (b) The Commission on Ethics enter a Final Order and Public Report consistent with this Stipulation.

FURTHER STIPULATIONS

14. Respondent and the Advocate stipulate and covenant that they have freely and voluntarily entered into this Joint Stipulation of Fact, Law, and Recommended Order with full knowledge and understanding of its contents. Respondent and the Advocate further stipulate and covenant that this Joint Stipulation, constitutes the full agreement of the parties and that there are no oral or written understandings between the parties other than those contained in this Stipulation of Fact, Law, and Recommended Order.

15. Respondent and the Advocate stipulate and covenant that, in consideration of the provisions of this Joint Stipulation of Fact, Law, and Recommended Order, Respondent and the Advocate accept and will comply with the above-referenced Final Order and Public Report of the Commission on Ethics.

16. Respondent and the Advocate stipulate that this Joint Stipulation of Fact, Law, and Recommended Order is submitted to the Commission on Ethics for its consideration and ratification. In the event that it is not approved by the Commission on Ethics as written, this document shall be of no purpose and effect and shall not be deemed an admission by Respondent.

17. Effective upon approval of this Joint Stipulation of Fact, Law, and Recommended order by the Commission on Ethics, Respondent waives all time, notice, and hearing rights, requirements, and entitlements, as to all subsequent hearings in this proceeding.

Diane L. Guillemette
Advocate for the Florida
Commission on Ethics
Florida Bar No. 0887803
Office of the Attorney General
The Capitol L-01
Tallahassee, Florida 32399-1050

Mike Haridopolos
Respondent

Peter M. Dunbar, Esq.
Pennington, Moore, Wilkinson,
Bell & Dunbar, P.A.
P.O. Box 10095
215 South Monroe St.
Tallahassee, FL 32302-2095

The Honorable John Thrasher
Chairman, Florida Senate Rules Committee

February 15, 2011

Mr. Chairman,

Last year, I was contacted by the Ethics Commission after they received a complaint regarding the Financial Disclosure forms that we all are required to fill out each year. I was alerted by the Commission to errors that had resulted from me filling out the forms incorrectly in the same way each year between 2004 and 2008. I believed that I had filled out these forms accurately, and as soon as these errors were brought to my attention I filed amended forms to be sure that the correct information was listed.

When the Ethics Commission met on October 22, 2010 the investigator's report on the case was released, and probable cause was found that I had made these errors. After that report was released, I accepted full responsibility for these mistakes in a proposed stipulation

agreement. The Commission voted to accept this agreement at their meeting on December 3, 2010.

Throughout the process, I answered all questions from the Commission completely and supplied them with all of the documentation they requested. None of these mistakes were intentional or meant to hide any personal information. To be clear, all of my income over this period was reported on the original forms. Nonetheless, I did not adequately follow the instructions on the forms that were filed and relied on forms from previous years for consistency. All documents now on file with the Ethics Commission are accurate and complete.

While these errors on my forms have been easily corrected, I take this situation very seriously and will embrace whatever is deemed to be the appropriate penalty. I accept responsibility for these errors and apologize to the members of the Florida Senate. I have learned from this process and have gained a greater respect for the need for elected officials to remain diligent in their efforts to be transparent with the public.

Sincerely,
Mike Haridopolos
Florida Senate, District 26

In re: The Honorable Mike Haridopolos, Senator, District 26

CONSENT DECREE

The Committee on Rules and the Honorable Mike Haridopolos, Senator, District 26, enter this consent decree.

INTRODUCTION

- (1) President Mike Haridopolos, having received a December 7, 2010 Final Order and Public Report from the Commission on Ethics re: himself, referred consideration of this matter to the Rules Committee in accordance with Senate Rule 1.42.
- (2) The Final Order and the Public Report of the Commission on Ethics finds that Senator Haridopolos violated Article II, section 8(a) and (i) of the Florida Constitution, by failing to fully disclose his financial interests for the years 2004, 2005, 2006, 2007, and 2008.

DISPOSITION

- (3) All parties accept the Commission on Ethics finding of violations as set forth in the Final Order and Public Report. The parties further agree that these violations were neither willful nor intentional and were corrected prior to the entry of the final order.
- (4) In view of the inadvertent nature of these violations, Senator Haridopolos' admission of error and his subsequent submission of required corrections, the Rules Committee recommends to the Senate that a letter of admonishment from the Rules Chair is an appropriate level of penalty.
- (5) The Rules Committee further recommends that the Senate accept this Consent Decree and that the same be published in the Senate Journal, whereupon this matter shall be resolved.

Entered into this 24th day of February, 2011

s/ Mike Haridopolos
Respondent
s/ J.D. Alexander
Vice Chair
s/ Don Gaetz
s/ Dennis L. Jones, D.C.
s/ Joe Negron
s/ Gary Siplin
s/ Stephen R. Wise

s/ John Thrasher
Chair
Larcenia J. Bullard
s/ Anitere Flores
s/ Andy Gardiner
s/ Gwen Margolis
s/ Garrett Richter
s/ Christopher L. "Chris" Smith

The Honorable Mike Haridopolos
Senator, District 26

March 9, 2011

Dear Senator Haridopolos:

I have received the report of the Rules Committee in which the committee has recommended, and you have accepted, that I issue a letter of admonishment related to your failure to file complete financial disclosure statements with the Commission on Ethics for the years 2004, 2005, 2006, 2007 and 2008 while a Member of the Florida Senate.

While I accept your assertion that the errors and omissions were unintentional, I nevertheless would admonish you that in upholding the trust which has been placed in you by the voters of District 26, you must meticulously adhere to the requirements of the financial disclosure law and other laws and rules related to legislative service.

In the future, should you find yourself in doubt as to the proper course of action in such matters, I would strongly urge you to seek the advice of the General Counsel of the Senate or of the Commission on Ethics, prior to risking a violation of the rules which govern our conduct.

I have also received your letter of apology which I am accepting on behalf of the Florida Senate. I appreciate and applaud your willingness to accept responsibility and to seek to bring this matter to an appropriate conclusion.

Sincerely,
John Thrasher
Chairman, Rules Committee

MOTION

Senator Thrasher moved to adopt the Report of the Committee on Rules.

Senator Latvala was recorded as objecting to the level of severity of punishment recommended by the report.

The motion was adopted without further objection.

On motion by Senator Thrasher, the Joint Stipulation of Fact, Law, and Recommended Order, the President's letter to the Rules Chair, and the Rules Committee letter to the President were ordered spread upon the Journal.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Special Order Calendar Group submits the following bills to be placed on the Special Order Calendar for Wednesday, March 9, 2011: SB 916, SB 944, SB 924, SB 946, CS for CS for SB 736.

Respectfully submitted,
John Thrasher, Chair

The Committee on Banking and Insurance recommends the following pass: SB 534

The bill was referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 636

The bill was referred to the Committee on Governmental Oversight and Accountability under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 546

The bill was referred to the Committee on Health Regulation under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 396

The bill with committee substitute attached was referred to the Committee on Regulated Industries under the original reference.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE BUSINESS, REFERENCE CORRECTIONS

The following executive appointments, previously published on March 8, 2011, were shown with the following reference corrections:

<i>Office and Appointment</i>	<i>For Term Ending</i>
Adjutant General of Florida National Guard Appointee: Titshaw, Emmett R., St. Augustine	Pleasure of the Governor
Board of Medicine Appointee: Thomas, George, Bradenton	10/31/2014
Council on Efficient Government Appointee: Evans, Steven L., Tallahassee	8/22/2011
Education Practices Commission Appointee: Farmer, Diane A., Tampa McCray, Katrina E., Jacksonville	9/30/2013 9/30/2014
Secretary of Community Affairs Appointee: Buzzett, William A., Santa Rosa Beach	Pleasure of the Governor
Secretary of Children and Family Services Appointee: Wilkins, David, Tallahassee	Pleasure of the Governor
Secretary of Juvenile Justice Appointee: Walters, Wansley Hancock, Con- fidential pursuant to S. 119.071(4), F.S.	Pleasure of the Governor
Florida Public Service Commission Appointee: Balbis, Eduardo E., West Palm Beach	1/1/2015
Appointee: Brise, Ronald A., North Miami	1/1/2014
Appointee: Brown, Julie I., Tampa	1/1/2015
Appointee: Graham, Art, Jacksonville Beach	1/1/2014
Secretary of Environmental Protection Appointee: Vinyard, Herschel T., Jacksonville	Pleasure of the Governor
Governing Board of the Northwest Florida Water Man- agement District Appointee: Roberts, George, Panama City Beach	3/1/2014
Secretary of Management Services Appointee: Miles, John P., Winter Park	Pleasure of the Governor
Secretary of State Appointee: Browning, Kurt S., Dade City	Pleasure of the Governor
Board of Trustees, Florida A & M University Appointee: Alston, Torey L., Fort Lauderdale	1/6/2015
Board of Trustees, University of West Florida Appointee: O'Sullivan, John Mortimer, Pensa- cola	1/6/2015
Secretary of the Department of Lottery Appointee: O'Connell, Cynthia F., Tallahassee	Pleasure of the Governor

Pursuant to Rule 12.7, referred to the Rules Subcommittee on Ethics and Elections in lieu of the Committee on Rules.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Hays—

SJR 1438—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution, to assert the sovereignty of the state and refuse to comply with unconstitutional federal mandates.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

By Senator Hays—

SB 1440—A bill to be entitled An act relating to rural land development; amending s. 163.3177, F.S.; adding the Fish and Wildlife Conservation Commission and removing the water management districts from the list of governmental entities that must cooperate in providing assistance in the implementation of laws governing land use planning and development and related agency rule; adding a landowner as a recipient of assistance in designating rural land stewardship areas; exempting a landowner or local government from a requirement to demonstrate need; authorizing a landowner to petition a local government for certain land designations; adding economic development as a planning goal; removing the Department of Environmental Protection and water management districts as agencies providing assistance with mapping environmental areas worthy of protection; requiring the provision of technical assistance as needed to a local government in the implementation of rural land stewardship; removing a provision that expands the role of the Department of Community Affairs as a resource agency; removing a provision requiring the department to encourage participation of certain types of local governments; including the protection of private property rights for rural areas as a broad principle of rural sustainability; removing the notification requirement by the local government to the department of intent to designate a rural land stewardship area; modifying the criteria for designating a rural land stewardship area; removing consideration of certain criteria relating to a functional mix of land uses; removing as a review consideration the control of sprawl; providing for the designation of a receiving area and removing requirement for prior review by the Department of Community Affairs for designation of a receiving area; providing that the applicant rather than the developer is required to coordinate listed species protection; modifying the considerations that are balanced in designating a receiving area; providing for the establishment of a rural land stewardship overlay zoning district; providing for stewardship credits rather than transferable rural land use credits to be created following the designation of stewardship receiving areas; modifying the criteria that affect underlying permitted uses, density, or intensity of land uses; providing for an increase in density or intensity of use; providing for compensation to landowners who implement specified land management activities of public benefit; removing a reporting requirement; providing legislative findings that the act be implemented pursuant to law rather than rule; repealing certain rules of the Florida Administrative Code; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

SR 1442—Not referenced.

By Senator Storms—

SB 1444—A bill to be entitled An act relating to ad valorem tax refunds; amending s. 197.182, F.S.; requiring a tax collector to automatically make a refund of an overpayment of taxes due to taxpayer error regardless of when the overpayment occurred; deleting a requirement that a claim for a refund for an overpayment of ad valorem taxes by a taxpayer be made within a certain time; limiting the period during which a taxpayer may file an action to contest the denial of a refund of ad valorem taxes; providing an effective date.

—was referred to the Committees on Community Affairs; and Budget.

SB 1446—Not referenced.

By Senator Garcia—

SB 1448—A bill to be entitled An act relating to the sale or lease of a public hospital; amending s. 155.40, F.S.; requiring that the sale or lease of a county, district, or municipal hospital to a for-profit or not-for-profit Florida corporation receive prior approval by the Attorney General; requiring the governing board to first determine whether there are any qualified purchasers or lessees of the hospital before considering whether to sell or lease the hospital; defining the term “fair market value”; requiring the governing board to put in writing the facts and findings to justify the governing board’s decision to sell or lease the public hospital to a third party; detailing the issues that the governing board must address in order to sell or lease the hospital; setting forth the procedures that must be followed by the governing board to gain the approval of the Attorney General to sell or lease the hospital; authorizing the Attorney General to employ independent consultants to determine the fair market value of the proposed sale or lease; authorizing interested persons to file a statement in opposition to the sale or lease of the hospital; specifying the criteria the Attorney General must consider when deciding whether to approve or deny the proposed sale or lease of the hospital; requiring the Attorney General to publish his or her final decision in the Florida Administrative Weekly; amending s. 395.3036, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Health Regulation; Community Affairs; Judiciary; Budget; and Rules.

By Senator Bennett—

SB 1450—A bill to be entitled An act relating to class size requirements; amending s. 1003.03, F.S.; revising provisions relating to the amount of penalties calculated by the Department of Education when a school district fails to comply with the class size requirements; prohibiting the penalties from exceeding \$1,000 per school in each district; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Bennett—

SB 1452—A bill to be entitled An act relating to local government energy zones; defining terms; authorizing a local government to create an energy zone by ordinance; requiring the producer of renewable energy to produce and sell all energy within the boundaries of the energy zone; requiring that the producer be offered a disconnectable-rate structure for its customers; authorizing retail sales by any producer of renewable energy within an energy zone; requiring the Public Service Commission to adopt rules to govern sales by producers of renewable energy within the local government energy zone; requiring that the commission submit reports to the Legislature; amending s. 366.02, F.S.; redefining the term “public utility” to exempt producers and sellers of renewable energy from economic regulation by the Public Service Commission; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications, Energy, and Public Utilities; and Budget.

By Senator Garcia—

SB 1454—A bill to be entitled An act relating to the treatment of a surrendered newborn infant; amending s. 383.50, F.S.; presuming that the birth mother of a surrendered newborn infant is eligible for coverage under Medicaid as is the infant; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Garcia—

SB 1456—A bill to be entitled An act relating to public records; amending s. 408.910, F.S.; creating an exemption from public-records requirements for personal, identifying information of a registrant, applicant, participant, or enrollee in the Florida Health Choices Program; providing exceptions; authorizing an enrollee’s legal guardian to obtain confirmation of certain information about the enrollee’s health plan; providing for applicability; providing a penalty for unlawful disclosure of personal, identifying information; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of necessity; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Governmental Oversight and Accountability.

By Senator Garcia—

SB 1458—A bill to be entitled An act relating to assisted living communities; amending s. 400.141, F.S.; revising licensing requirements for registered pharmacists under contract with a nursing home and related health care facilities; amending ss. 408.802, 408.806, 408.820, 408.831, and 408.832, F.S.; revising applicability of part II of ch. 408, F.S., relating to health care licensing procedures; creating part I of ch. 429, F.S., the “Assisted Care Communities Licensing Procedures Act”; creating s. 429.001, F.S.; providing a short title and providing purpose; creating s. 429.002, F.S.; providing definitions; creating s. 429.003, F.S.; requiring providers to have and display a license; providing limitations; creating s. 429.004, F.S.; establishing license fees and conditions for assessment thereof; providing a method for calculating annual adjustment of fees; providing for inspection fees; providing that fees are nonrefundable; limiting the total amount of fees that may be collected; creating s. 429.005, F.S.; providing a license application process; requiring specified information to be included on the application; requiring payment of late fees under certain circumstances; requiring inspections; providing an exception; authorizing the Agency for Health Care Administration to establish procedures and rules for electronic transmission of required information; creating s. 429.006, F.S.; providing procedures for change of ownership; requiring the transferor to notify the agency in writing within a specified time period; providing for duties and liability of the transferor; providing for maintenance of certain records; creating s. 429.007, F.S.; providing license categories and requirements therefor; creating s. 429.008, F.S.; requiring background screening of specified employees; providing for submission of proof of compliance under certain circumstances; providing conditions for granting provisional and standard licenses; providing an exception to screening requirements; creating s. 429.009, F.S.; providing minimum licensure requirements; providing procedures for discontinuance of operation and surrender of license; requiring forwarding of client records; requiring publication of a notice of discontinuance of operation of a licensee; providing for statewide toll-free telephone numbers for reporting complaints and abusive, neglectful, and exploitative practices; requiring proof of legal right to occupy property, proof of insurance, and proof of financial viability, under certain circumstances; requiring disclosure of information relating to financial instability; providing a penalty; creating s. 429.0105, F.S.; providing for inspections and investigations to determine compliance; providing that inspection reports are public records; requiring retention of records for a specified period of time; creating s. 429.011, F.S.; prohibiting certain unlicensed activity by a person or entity operating or maintaining an assisted care community; requiring an unlicensed person or entity to cease activity; providing penalties; requiring reporting of unlicensed activity; creating s. 429.012, F.S.; authorizing the agency to impose administrative fines; creating s. 429.013, F.S.; providing conditions for the agency to impose a moratorium or emergency suspension on a licensee; requiring notice; creating s. 429.014, F.S.; providing grounds for denial or revocation of a license or change-of-ownership application; providing conditions to continue operation; exempting renewal applications from provisions requiring the agency to approve or deny an application within a specified period of time, under certain circumstances; creating s. 429.015, F.S.; authorizing the agency to institute injunction proceedings, under certain circumstances; creating s. 429.016, F.S.; providing basis for review of administrative proceedings challenging agency licensure enforcement action; creating s. 429.017, F.S.; authorizing the Department of Elderly Affairs to adopt rules; providing a timeframe for compliance; creating s. 429.018, F.S.; requiring a licensee to have an emergency operations plan; authorizing a

licensee to temporarily exceed licensed capacity under emergency conditions for a specified period of time; requiring agency approval of overcapacity requests under certain circumstances; authorizing the agency to issue an inactive license in certain locations under specified conditions; requiring the licensee to provide notice to residents; authorizing the department to adopt rules relating to emergency management and to report that information to the agency; creating s. 429.019, F.S.; providing grounds for denial or revocation of a license or change-of-ownership application; providing conditions to continue operation; exempting renewal applications from provisions requiring the agency to approve or deny an application within a specified period of time, under certain circumstances; amending s. 429.01, F.S.; creating the "Assisted Living Residences Act"; revising the purpose of the act; amending s. 429.02, F.S.; providing, revising, and deleting definitions; amending ss. 429.04, 429.07, 429.075, 429.08, 429.11, and 429.17, F.S.; revising provisions relating to licensing of assisted living residences; conforming terminology and references; amending s. 429.12, F.S.; revising provisions relating to the sale or transfer of ownership of an assisted living residence; amending s. 429.14, F.S.; revising provisions relating to administrative penalties; amending s. 429.174, F.S.; providing applicability of background screening of personnel; amending ss. 429.177, 429.18, 429.20, 429.22, 429.24, 429.44, 429.47, and 429.49, F.S.; conforming references; amending s. 429.178, F.S.; providing safety requirements for residences serving persons with Alzheimer's disease or other related disorders; repealing a provision relating to a facility's responsibility for the payment of certain training fees; amending s. 429.19, F.S.; revising Agency for Health Care Administration procedures for the imposition of fines for violations of ch. 429, F.S.; amending s. 429.195, F.S.; permitting the licensee of an assisted living residences to provide monetary rewards to residents who refer certain individuals to the residence; amending s. 429.23, F.S.; revising adverse incidents reporting requirements; amending s. 429.255, F.S.; permitting certain licensed persons to provide limited nursing services; deleting rulemaking authority of the Department of Elderly Affairs with regard to cardiopulmonary resuscitation in assisted living residences; repealing s. 1 of chapter 2010-200, Laws of Florida, which provides for future implementation of provisions relating to the use of automated external defibrillators in assisted living facilities; amending s. 429.256, F.S.; providing additional guidelines for the assistance with self-administration of medication; amending s. 429.26, F.S.; removing a requirement that a facility notify a licensed physician when a resident exhibits certain signs of dementia, cognitive impairment, or change of condition; revising the persons who are authorized to notify a resident's case manager about examining the resident; amending s. 429.27, F.S.; revising provisions relating to the property and personal effects of residents; amending s. 429.275, F.S.; removing rulemaking authority of the Department of Elderly Affairs over financial records, personnel procedures, accounting procedures, reporting procedures, and insurance coverage for residents of assisted living residences; amending s. 429.28, F.S., relating to the resident bill of rights; revising provisions relating to termination of residency; removing responsibilities of the agency for conducting compliance surveys and complaint investigations; amending s. 429.293, F.S.; permitting the use of an arbitration process to resolve a resident's claim of a rights violation or negligence; amending s. 429.294, F.S.; authorizing the release of copies of a resident's records to specified persons under certain conditions; providing limits on the frequency of the release of such records; amending s. 429.298, F.S.; providing limits on the amount of punitive damages; removing a provision that provides for a criminal investigation with a finding of liability for punitive damages; removing a provision that provides for admissibility of findings in subsequent civil and criminal actions; providing that the punitive damages awarded are divided between the claimant and the Health Care Trust Fund rather than the Quality of Long-Term Care Facility Improvement Trust Fund; revising the percentages of the division of the settlement amount; amending s. 429.31, F.S.; revising responsibilities of an administrator for providing notice of the closing of an assisted living residence; amending s. 429.34, F.S.; removing authorization for state and local long-term care ombudsman councils to enter and inspect residences; amending s. 429.35, F.S.; removing requirement that the agency forward results of residence inspections to certain entities; amending s. 429.41, F.S.; revising rulemaking authority regarding resident care and maintenance of residences; conforming terminology to changes made by the act; amending s. 429.42, F.S.; revising provisions relating to pharmacy services; amending s. 429.445, F.S.; removing a requirement that assisted living residences submit certain information to the agency prior to commencing construction to expand the residence; amending s. 429.52, F.S.; revising training and education requirements

for certain administrators, residence staff, and other licensed professionals; requiring trainers certified by the department to meet continuing education requirements and standards; providing conditions for suspension or revocation of a trainer's certificate; amending s. 429.53, F.S.; removing provisions relating to preconstruction approvals and reviews and agency consultations; repealing s. 429.54, F.S., relating to the collection of information regarding the actual cost of providing services in assisted living facilities and local subsidies; amending s. 429.65, F.S.; revising and deleting definitions; amending ss. 429.67 and 429.69, F.S.; revising licensure requirements for adult family-care homes; amending s. 429.71, F.S.; removing a provision authorizing the agency to request a plan to remedy violations by adult family-care homes; amending s. 429.73, F.S.; removing agency rulemaking authority over adult family-care homes; amending ss. 429.75, 429.83, 429.85, 429.87, 429.905, 429.907, 429.909, 429.913, 429.919, 429.925, and 429.927, F.S.; conforming terminology and references; amending s. 429.81, F.S.; specifying that residency agreements require a resident to provide 30 days' written notice of intent to terminate residency; amending s. 429.901, F.S.; removing definitions; amending s. 429.911, F.S.; revising provisions relating to the denial, suspension, and revocation of adult day care center licenses; amending s. 429.915, F.S.; revising provisions relating to conditional licenses to remove a requirement for a plan of correction to accompany the license; amending s. 429.917, F.S.; conforming references; removing a training requirement; creating s. 429.926, F.S.; providing an exemption from applicability of certain minimum licensure requirements to adult day care centers; amending s. 429.929, F.S.; removing agency rulemaking authority over adult daycare centers; conforming a cross-reference; amending ss. 101.62, 101.655, 159.27, 196.1975, 202.125, 205.1965, 252.357, 252.385, 380.06, 381.006, 381.0072, 381.0303, 394.455, 394.4574, 394.462, 394.4625, 394.75, 394.9082, 400.0060, 400.0069, 400.0074, 400.0239, 400.148, 400.1755, 400.464, 400.471, 400.474, 400.497, 400.506, 400.6045, 400.605, 400.609, 400.701, 400.925, 400.93, 405.01, 408.033, 409.212, 409.221, 409.906, 409.907, 409.912, 410.031, 410.034, 410.502, 415.102, 415.1034, 415.1051, 415.107, 420.626, 430.071, 430.601, 456.053, 458.348, 459.025, 468.1695, 468.505, 553.73, 627.94073, 633.021, 633.022, 641.31, 651.083, 825.101, 893.055, and 893.13, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; and Budget.

By Senator Bennett—

SB 1460—A bill to be entitled An act relating to energy economic zones; amending s. 163.32465, F.S.; including energy economic zones in the pilot program implementing an alternative state review process; amending s. 212.08, F.S.; exempting certain machinery and equipment used in the production of renewable energy in an energy economic zone from the tax on sales, use, and other transactions; authorizing the Department of Revenue to adopt rules; exempting certain building materials used in the rehabilitation of real property located in an energy economic zone from the tax on sales, use, and other transactions; authorizing the Department of Revenue to adopt rules; providing for expiration of the tax exemption for energy economic zones; exempting certain business property used in an energy economic zone from the tax on sales, use, and other transactions; authorizing the Department of Revenue to adopt rules; providing for expiration of the tax exemption for energy economic zones; exempting electrical energy used in an energy economic zone from the tax on sales, use, and other transactions; providing for expiration of the tax exemption for energy economic zones; amending s. 212.096, F.S.; providing a credit against sales tax for eligible businesses in energy economic zones; providing the method of calculating the credit; requiring the local governing body to develop an application form; providing criteria; authorizing the local governing body to review and approve completed applications submitted by eligible businesses; amending s. 220.181, F.S.; providing a credit against income tax for eligible businesses that create jobs in an energy economic zone; providing criteria for qualifying jobs; providing the method of calculating the credit; requiring the local governing body to develop an application form; authorizing the local governing body to review and approve completed applications submitted by eligible businesses; providing for expiration of the tax credit; amending s. 220.182, F.S.; providing a credit against property tax for eligible businesses in an energy economic zone; providing the method of calculating the credit; requiring the local governing body to develop an application form; authorizing the local gov-

erning body to review and approve completed applications submitted by eligible businesses; providing for expiration of the tax credit; amending s. 220.183, F.S.; including a local governing body having jurisdiction of an energy economic zone as an eligible sponsor under community contribution tax credits; expanding the eligibility criteria to include location in an area designated as an energy economic zone; amending s. 288.047, F.S.; including energy economic zones in the Workforce Florida, Inc., Quick-Response Training Program; amending s. 288.063, F.S.; expanding the criteria by which transportation projects are reviewed and certified by the Office of Tourism, Trade, and Economic Development to include projects located in an energy economic zone; amending s. 288.106, F.S.; including the term “energy economic zone” in the definitions that apply to tax refund programs for qualified target industry businesses; revising the definition of the term “target industry business” to include certain businesses in energy economic zones; providing for a business that is otherwise excluded from designation as a target industry business to qualify upon approval pursuant to local ordinance; waiving certain minimum average wage requirements for target industry businesses located in an energy economic zone; excluding qualified target industry businesses within an energy economic zone from the minimum average wage requirements; amending s. 377.809, F.S.; extending to February 15, 2015, the deadline for submission by the Department of Community Affairs of its report evaluating the energy economic zone pilot program; expanding the Energy Economic Zone Pilot Program to provide fiscal and regulatory incentives for eligible businesses; providing criteria for receiving fiscal and regulatory incentives; allowing public utilities to grant certain discounts to small businesses located in an energy economic zone; providing for additional incentives; giving priority ranking to certain business located in energy economic zones for grants administered by the Florida Energy and Climate Commission or for other grants or programs; clarifying terms relating to energy economic zone eligibility criteria; requiring the local governing body to certify to the Department of Revenue, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development the pilot community’s developments and businesses eligible for the incentives in specified circumstances; authorizing the local governing body to revise boundaries of the energy economic zone in specified circumstances; requiring a community within an energy economic zone pilot program to adopt an ordinance authorizing certain tax incentives; providing additional criteria that may be included in the ordinance; limiting the amount of tax incentives available; providing circumstances and criteria for the transfer of tax credits; amending s. 445.003, F.S.; specifying eligibility for reimbursement grants under the Incumbent Worker Training Program to businesses in an energy economic zone; amending s. 220.191, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Communications, Energy, and Public Utilities; Community Affairs; and Budget.

By Senator Hays—

SB 1462—A bill to be entitled An act relating to the powers of the consumer advocate; amending s. 627.0613, F.S.; deleting a power of the consumer advocate relating to the preparation of an annual report card grading personal residential property insurers; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce and Tourism; and Budget.

By Senator Sobel—

SB 1464—A bill to be entitled An act relating to road and bridge designations; designating Mardi Gras Way and West Park Boulevard in Broward County; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Simmons—

SB 1466—A bill to be entitled An act relating to class size requirements; amending s. 1003.01, F.S.; redefining the terms “core-curricula

courses” and “extracurricular courses”; amending s. 1003.03, F.S.; deleting a reference to the State Constitution regarding class size maximums; requiring that class size maximums be satisfied on or before the October student membership survey each year; requiring that the class size maximums be maintained after the October student membership survey unless certain conditions occur; providing that a student who enrolls in a school after the October student membership survey may be assigned to classes that temporarily exceed class size maximums if the school board determines that not assigning the student would be impractical, educationally unsound, or disruptive to student learning; providing for a specified number of students to be assigned above the maximum if the district school board makes this determination; requiring that the district school board develop a plan providing that the school will be in full compliance with the maximum class size requirements by the next October student membership survey; amending s. 1011.685, F.S.; revising provisions relating to class size reduction operational categorical funds; authorizing a school district that meets the maximum class size requirement to use the funds for any lawful operating expenditure; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Altman—

SB 1468—A bill to be entitled An act relating to title insurance; amending s. 20.121, F.S.; assigning the Division of Title Insurance to the Department of Financial Services; providing legislative findings and intent; deeming that references in the Florida Insurance Code pertaining to title insurance refer to the Division of Title Insurance; amending s. 626.2815, F.S.; requiring any person who holds a license as a title agent to complete a minimum of 10 hours of continuing education courses every 2 years in Florida-specific title insurance and escrow management courses approved by the Division of Title Insurance; authorizing the department to contract with private entities to administer, review, or approve the continuing education program for title insurance; amending s. 626.841, F.S.; defining the term “agent in charge”; amending s. 626.8417, F.S.; revising provisions to conform to changes made by the act; amending s. 626.8418, F.S.; removing obsolete provisions relating to applying for a title insurance license; amending s. 626.8419, F.S.; requiring the title insurance agency to obtain a fidelity bond in an amount not less than \$250,000, with a deductible not to exceed 1 percent of the bond amount; creating s. 626.8422, F.S.; requiring each title insurance agency to have a separate agent in charge at every agency location; requiring that an agent in charge be an attorney licensed by and in good standing with The Florida Bar or a Florida-licensed title agent; amending s. 626.8437, F.S.; adding additional grounds for which the department must deny, suspend, revoke, or refuse to renew or continue the license or appointment of any title insurance agent or agency; amending s. 626.8473, F.S.; requiring an attorney to deposit into a separate trust account all funds received in connection with transactions in which the attorney is serving as a title or real estate settlement agent; requiring that the trust account be maintained exclusively for funds received in connection with such transactions; providing an exception for an applicable rule of The Florida Bar; creating s. 627.7715, F.S.; creating the Division of Title Insurance within the Department of Financial Services; requiring that the division exercise all powers and duties with respect to title insurance regulation, including those exercised by the Office of Insurance Regulation and the Division of Insurance Agents and Agency Services; providing for the division director to be appointed by the Chief Financial Officer; providing for bureaus within the division; amending s. 627.777, F.S.; providing for the approval and revocation of title insurance forms; creating s. 627.7815, F.S.; providing that trade secrets be preserved; providing for the filing of a trade secret notice with the department; providing a waiver of trade secret protection under certain circumstances; providing procedures to be followed to claim a trade secret; detailing the form and content of the notice for a trade secret; providing a presumption of trade secret protection under certain circumstances; creating s. 627.7985, F.S.; authorizing the Department of Financial Services to adopt rules relating to title insurance; amending s. 627.780, F.S.; revising provisions to conform to changes made by the act; amending s. 627.782, F.S.; requiring each title insurance agency licensed to do business in this state and each insurer doing direct, retail, or affiliated business to maintain and submit certain information to the department as the department determines to be necessary to assist in the analysis of title insurance premium rates, title search costs, and the

condition of the title insurance industry in this state; creating s. 689.263, F.S.; prohibiting a title insurance agent or title insurance agency from disbursing funds pursuant to a completed purchase and sale transaction subject to the Real Estate Settlement Procedures Act without requiring a properly executed statement of settlement cost; providing that by a specified date the rules of the Financial Services Commission and the Office of Insurance Regulation with respect to the regulation of title insurance become the rules of the Department of Financial Services; providing that the statutory powers, duties, and functions for the administration of chs. 624, 626, and 627, F.S., relating to title insurance, are transferred by a type two transfer, from the Financial Services Commission and the Office of Insurance Regulation to the Department of Financial Services; providing that the transfer of regulatory authority accomplished by this act shall not affect the validity of any pending judicial or administrative action relating to title insurance, to which action the Financial Services Commission or the Office of Insurance Regulation are parties; providing that all lawful orders issued by the Financial Services Commission or the Office of Insurance Regulation implementing or enforcing or otherwise relating to title insurance issued before the effective date of the act, remain in effect and are enforceable after the effective date of the act, unless thereafter modified in accordance with law; directing the Division of Statutory Revision to provide the relevant substantive committees of the Senate and the House of Representatives with assistance to enable the committees to prepare draft legislation to conform the Florida Statutes to the provisions of the act; directing the Division of Title Insurance to work with affected parties and to make recommendations to the Legislature relating to consolidation of all of title insurance governance into a single chapter of Florida Statutes, the possible implementation of other recommendations of the Title Insurance Study Advisory Council, and other suggestions for improvement of the statutory regulation of the title insurance industry; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Budget.

By Senator Altman—

SB 1470—An act relating to the capital investment tax credit; amending s. 220.191, F.S.; authorizing a qualifying business that has insufficient corporate income tax liability to fully claim a capital investment tax credit to apply the credit against its liability for sales and use taxes to be collected, reported, and remitted to the Department of Revenue; requiring a qualifying business that receives a credit against its sales and use tax liability to make additional capital investments; requiring a qualifying business to annually report its capital investments to the Office of Tourism, Trade, and Economic Development, the President of the Senate, and the Speaker of the House of Representatives; requiring a qualifying business that fails to make the required capital investments to repay the amount of the sales and use tax credit claimed with interest; limiting the availability of the sales tax credit to certain businesses that have their headquarters in this state, that qualify for the capital investment tax credit under certain circumstances, and that were approved to participate in the capital investment tax credit program during a certain period; limiting the annual amount of tax credits that may be approved; authorizing the Office of Tourism, Trade, and Economic Development and the Department of Revenue to adopt rules; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

By Senator Fasano—

SB 1472—A bill to be entitled An act relating to public records and meetings; amending s. 112.324, F.S.; providing an exemption from public-records requirements for a determination by the Commission on Ethics regarding an information or a written referral of an alleged violation of part III of ch. 112, F.S., the Code of Ethics for Public Officers and Employees; providing an exemption from public-meetings requirements for any proceeding conducted by the commission or a local Commission on Ethics and Public Trust pursuant to such information or referral; authorizing the commission and its staff to share investigative information with criminal investigative agencies; providing for legislative review and repeal of the exemptions under the Open Government

Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Rules; and Governmental Oversight and Accountability.

By Senator Rich—

SB 1474—A bill to be entitled An act relating to elected officials; requiring the Commission on Ethics and the Elections Commission to notify the Chief Financial Officer or the governing body of a county, municipality, or special district, as appropriate, of any fines owed to it by a person who has been elected to a state, county, municipal, or special district office; requiring the Chief Financial Officer or the governing body of a county, municipality, or special district, as appropriate, to withhold salary payments it would otherwise make to an elected officeholder when that official owes a fine to the Commission on Ethics or the Elections Commission; authorizing the Chief Financial Officer and governing bodies to retain a portion of the payment to cover their administrative costs; providing an effective date.

—was referred to the Committees on Rules; Governmental Oversight and Accountability; and Budget.

By Senator Flores—

SB 1476—A bill to be entitled An act relating to paternity of a child; amending s. 39.001, F.S.; providing legislative intent; amending s. 39.01, F.S.; redefining the term “parent” and defining the term “unmarried biological father”; amending s. 39.502, F.S.; requiring that an unmarried biological father be individually notified of the filing of a dependency petition under certain circumstances; providing that notice of the petition for dependency is not required if the unmarried biological father signs an affidavit of nonpaternity or consents to termination of his parental rights; providing for waiver of service of process; requiring the notice to specifically warn the unmarried biological father that, if he fails to initiate specified activities, he will be precluded from contesting the petition for dependency or any subsequent petition for termination of parental rights unless otherwise ordered by the court and will receive no further notice of judicial proceedings; amending s. 39.503, F.S.; requiring the court to conduct an inquiry of the parent or legal custodian on specified issues if the identity or location of a parent is unknown and a petition for dependency or shelter is filed; requiring that a prospective parent be given the opportunity to become a party to the dependency proceedings if the inquiry and diligent search identifies the prospective parent; requiring the prospective parent to complete a sworn affidavit of parenthood and file it with the court or the Department of Children and Family Services; requiring the prospective parent to seek to establish paternity pursuant to ch. 742, F.S., if a child has two legally recognized parents; amending s. 39.801, F.S.; specifying procedures for providing notice to an unmarried biological father in a proceeding for the termination of parental rights; setting forth conditions that the unmarried biological father must follow in order to contest the petition to terminate parental rights; specifying the consequences if the unmarried biological father fails to meet the conditions to prevent termination of parental rights; amending s. 39.803, F.S.; requiring the court to conduct an inquiry of the parent or legal custodian on specified issues if the identity or location of a parent is unknown and a petition for termination of parental rights has been filed; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; and Rules.

By Senator Evers—

SB 1478—A bill to be entitled An act relating to intrastate commerce; providing that certain goods grown, manufactured, or made in this state and services performed in this state are not subject to the authority of the Congress of the United States under its constitutional power to regulate commerce; prohibiting any official, agent, or employee of the Federal Government or of the state from attempting to enforce federal laws, rules, or regulations in violation of the act; providing penalties; providing for application; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Agriculture; and Budget.

By Senator Evers—

SB 1480—A bill to be entitled An act relating to public swimming pools and spas; creating s. 514.0315, F.S.; requiring public swimming pools and spas to be equipped with certain safety features; providing an effective date.

—was referred to the Committees on Health Regulation; Regulated Industries; Commerce and Tourism; and Budget.

By Senator Evers—

SB 1482—A bill to be entitled An act relating to consumer protection; creating s. 501.20795, F.S.; requiring retail tire dealers to disclose to purchasers the date of manufacture and certain warnings relating to the age of tires; providing certain exceptions; providing that a violation of the act is a deceptive and unfair trade practice; providing penalties; requiring the Department of Legal Affairs to adopt rules; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Judiciary; and Budget.

By Senator Fasano—

SB 1484—A bill to be entitled An act relating to governmental ethics; amending s. 112.312, F.S.; defining terms; amending s. 112.313, F.S.; requiring that all disclosures otherwise required by law be made in writing on forms prescribed by the Commission on Ethics; providing that a public officer may not act in such a way as to suggest to another person that the public officer can be improperly influenced by that person when the public officer is performing his or her official duties; amending s. 112.3135, F.S.; providing penalties if a public official makes a prohibited appointment, employment, promotion, or advancement decision for an individual; creating s. 112.3142, F.S., pertaining to qualified blind trusts; providing legislative findings and intent relating to qualified blind trusts; defining terms; providing that if a covered public official holds an economic interest in a qualified blind trust, he or she does not have a conflict of interest that would otherwise be prohibited by law; prohibiting a covered public official from attempting to influence or exercise any control over decisions regarding the management of assets in a qualified blind trust; prohibiting direct or indirect communication between the covered public official or any person having a beneficial interest in the qualified blind trust and the trustee; providing exemptions; requiring a covered public official to report as an asset on his or her financial disclosure forms the beneficial interest, and its value if required, which he or she has in a qualified blind trust; specifying the required elements necessary to establish a qualified blind trust; specifying the required elements necessary to be a trustee; specifying the required elements in the trust agreement; providing that the trust is not effective unless it is approved by the Commission on Ethics; requiring that the trustee and the official observe the obligations of the trust agreement; providing that the trust contains only readily marketable assets; requiring that the trust agreement be filed with the commission within a specified time; providing for the filing of an amendment to a financial disclosure statement of a covered public official in specified circumstances; amending s. 112.3143, F.S.; defining the term “principal by whom retained”; requiring a state public officer holding an elected or appointed office to publicly state the nature of all of the officer’s interests, and all of the interests of his or her principals, relatives, or business associates which are known to him or her, in the matter from which the officer is abstaining from voting; requiring the officer to file documents within 15 days after a vote occurs which disclose the nature of all of the officer’s interests as a public record; providing an exemption for certain specified officers; amending s. 112.3144, F.S.; requiring a candidate for a local office who has filed a full and public disclosure of financial interests when qualifying as a candidate to file a copy of that disclosure, instead of filing a second original disclosure, with the commission as the annual disclosure required under law; amending s. 112.3145, F.S.; revising definitions of the terms “local officer” and “specified state employee”; requiring a candidate for a state office who has filed a full and public disclosure of financial interests when qualifying as a candidate to file a

copy of that disclosure, instead of filing a second original disclosure, with the commission as the annual disclosure required under law; amending s. 112.3148, F.S.; defining terms; prohibiting a reporting individual or procurement employee from soliciting or accepting a gift in excess of a certain value from a vendor doing business with the reporting individual or the procurement agency; requiring each reporting individual or procurement employee to file a statement with the commission by a specified date containing a list of gifts, if any, which he or she believes to have a value in excess of a stated amount from a person who is regulated by the commission; providing exceptions; specifying the contents of the gift report; amending s. 112.3149, F.S.; defining the term “vendor”; prohibiting a reporting individual or procurement employee from knowingly accepting an honorarium from a vendor doing business with the reporting individual’s or procurement employee’s agency; prohibiting the vendor from giving an honorarium to the reporting individual or procurement employee; amending s. 112.317, F.S.; raising the civil penalties that may be imposed for violations of ch. 112, F.S., from \$10,000 to \$100,000; providing that a person who knowingly fails to file the required disclosure of documents by a specified date commits a misdemeanor of the first degree; providing criminal penalties; providing that a person who files a complaint with actual malice against a public officer is liable for costs and attorney’s fees; amending s. 112.3215, F.S.; providing that a person who is required to register with the Constitution Revision Commission or to provide information on a report required by the commission but who fails to disclose material fact or provides false information commits a noncriminal infraction; providing a fine for such infraction; amending s. 112.324, F.S.; providing procedures for investigations of complaints filed with the commission; amending ss. 411.01 and 445.007, F.S.; revising cross-references to conform to changes made by the act; reenacting ss. 310.151(1)(c) and 1002.33(25)(a), F.S., relating to pilotage and to charter schools, respectively, to incorporate the amendments made to s. 112.3143, F.S., in reference thereto; providing an effective date.

—was referred to the Committees on Rules; and Budget.

By Senator Evers—

SB 1486—A bill to be entitled An act relating to parole interviews for certain inmates; amending ss. 947.16, 947.174, and 947.1745, F.S.; extending from 2 years to 7 years the period between parole interview dates for inmates convicted of committing specified crimes; requiring a periodic parole interview for an inmate convicted of kidnapping, robbery, burglary of a dwelling, or burglary of a structure or conveyance in which a human being is present and a sexual act is completed or attempted; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Evers—

SB 1488—A bill to be entitled An act relating to motor vehicle license plates; creating s. 320.0892, F.S.; providing for the Department of Highway Safety and Motor Vehicles to issue a Silver Star license plate, without payment of the license tax, to persons meeting specified criteria; creating s. 320.08921, F.S.; providing for the Department of Highway Safety and Motor Vehicles to issue a Distinguished Service Cross license plate, without payment of the license tax, to persons meeting specified criteria; creating s. 320.08922, F.S.; providing for the Department of Highway Safety and Motor Vehicles to issue a Navy Cross license plate, without payment of the license tax, to persons meeting specified criteria; creating s. 320.08923, F.S.; providing for the Department of Highway Safety and Motor Vehicles to issue an Air Force Cross license plate, without payment of the license tax, to persons meeting specified criteria; providing an effective date.

—was referred to the Committees on Transportation; Military Affairs, Space, and Domestic Security; and Budget.

By Senator Evers—

SB 1490—A bill to be entitled An act relating to numeric nutrient water quality criteria; creating s. 403.0675, F.S.; prohibiting the implementation of certain federal numeric nutrient water quality criteria rules by the Department of Environmental Protection, water manage-

ment districts, and local governmental entities; authorizing the department to adopt numeric nutrient water quality criteria for surface waters under certain conditions; providing that certain total maximum daily loads and associated numeric interpretations constitute site specific numeric nutrient water quality criteria; providing for effect, governance, and challenge of such criteria; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and Budget.

By Senator Flores—

SB 1492—A bill to be entitled An act relating to public school instruction; amending s. 1002.23, F.S.; requiring Department of Education guidelines for the school district parent guide to include information regarding required parental permission for certain instruction; authorizing a school district to include a parental consent form in the parent guide; amending s. 1003.42, F.S.; revising required instruction relating to comprehensive health education; specifying that a student needs parental permission to be taught reproductive health or sexually transmitted disease education; amending ss. 1002.20 and 1006.148, F.S.; conforming provisions and a cross-reference to changes made by the act; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; and Budget.

By Senator Evers—

SB 1494—A bill to be entitled An act relating to the Interstate Compact for Juveniles; reenacting s. 985.802, F.S., which expired by operation of law on August 26, 2010; providing purpose of the compact; providing definitions; providing for an Interstate Commission for Juveniles; providing for the appointment of commissioners; providing for an executive committee; providing for meetings; providing powers and duties of the Interstate Commission; providing for its organization and operation; providing for bylaws, officers, and staff; providing for qualified immunity from liability for the commissioners, the executive director, and employees; requiring the Interstate Commission to adopt rules; providing for oversight, enforcement, and dispute resolution by the Interstate Commission; providing for the activities of the Interstate Commission to be financed by an annual assessment from each compacting state; requiring member states to create a State Council for Interstate Juvenile Supervision; providing for the effective date of the compact and amendments thereto; providing for a state's withdrawal from and reinstatement to the compact; providing for assistance, certain penalties, suspension, or termination following default by a state; providing for judicial enforcement; providing for dissolution of the compact; providing for severability and construction of the compact; providing for the effect of the compact with respect to other laws and for its binding effect; reenacting s. 985.5025, F.S., which expired by operation of law on August 26, 2010; creating the State Council for Interstate Juvenile Offender Supervision to oversee state participation in the compact; providing membership; providing for records and open meetings; prescribing procedures if the council is abolished; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

Senate Resolutions 1496-1498—Not referenced.

By Senator Latvala—

SB 1500—A bill to be entitled An act relating to foster care providers; amending s. 409.1671, F.S.; decreasing the limits of liability and requisite insurance coverage for lead community-based providers and subcontractors; providing immunity from liability for the Department of Children and Family Services for acts or omissions of a community-based provider or subcontractor, or the officers, agents, or employees thereof; providing an effective date.

—was referred to the Committees on Banking and Insurance; Children, Families, and Elder Affairs; Judiciary; and Budget.

By Senator Simmons—

SB 1502—A bill to be entitled An act relating to an ad valorem tax exemption for deployed servicemembers; creating s. 196.173, F.S.; providing for certain servicemembers who receive a homestead exemption and who are deployed in a military operation designated by the Legislature to receive an additional ad valorem tax exemption; specifying the calculation to be used in determining the exemption amount; requiring that a servicemember apply to the property appraiser to receive the exemption in the year following the year of a qualifying deployment; providing for the application forms to be prescribed by the Department of Revenue and furnished to an applicant by the property appraiser; requiring that a property appraiser consider applications for an exemption within a certain time; requiring the Secretary of the Senate and the Clerk of the House of Representatives to transmit a copy of a concurrent resolution designating qualifying military operations to the Department of Revenue; requiring the Department of Revenue to notify property appraisers and tax collectors of the designated military operations; requiring the Department of Military Affairs to submit a report annually of military operations to the President of the Senate, the Speaker of the House of Representatives, and the tax committees of each house of the Legislature; providing a definition; authorizing the Department of Revenue to adopt emergency rules; amending s. 194.011, F.S.; requiring a person appealing the denial of a deployed service member exemption to the value adjustment board to file the appeal within a certain time; amending s. 196.011, F.S.; providing requirements for the forms used for claims for the exemption for deployed servicemembers; authorizing the Department of Revenue to adopt emergency rules; providing for application of the act to qualifying deployments in the 2010 calendar year; providing for the act to apply to tax rolls beginning in 2011; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Community Affairs; and Budget.

By Senator Simmons—

SB 1504—A bill to be entitled An act relating to initiative petitions; amending s. 100.371, F.S.; limiting the validity of a signed initiative petition to 30 months; creating s. 100.372, F.S.; providing definitions; specifying qualifications for a person to act as a paid petition circulator; prohibiting a petition circulator from receiving compensation based on the number of signatures obtained on an initiative petition; requiring the initiative petition forms used by a paid petition circulator to identify the name of the paid petition circulator; requiring a person seeking employment with an initiative sponsor as a paid petition circulator to sign an affidavit stating that the person has not been convicted of, or entered a plea of nolo contendere to, a criminal offense involving fraud, forgery, or identity theft in any jurisdiction within a certain period; subjecting a petition circulator or an initiative sponsor to criminal penalties for violating specified restrictions or requirements; prohibiting an initiative sponsor from compensating a petition circulator based on the number of signatures obtained on an initiative petition; authorizing the Department of State to adopt rules; amending s. 101.161, F.S.; requiring the Secretary of State to revise the wording of the ballot title or ballot summary for an amendment to the State Constitution proposed by the Legislature when the wording is found by a court to be confusing, misleading, or otherwise deficient; requiring the Secretary of State to place the revised ballot title or ballot summary on the ballot if the court's decision is not reversed; making technical and grammatical changes; amending s. 104.185, F.S.; subjecting a person to criminal penalties for altering a signed initiative petition without the knowledge and consent of the person who signed the initiative petition; amending ss. 15.21, 16.061, and 1011.73, F.S.; replacing the term "substance" with "ballot summary" to conform to changes made by the act; providing for severability; providing an effective date.

—was referred to the Committees on Rules; Criminal Justice; and Budget.

By Senator Ring—

SB 1506—A bill to be entitled An act relating to the corporate income tax; amending s. 220.131, F.S.; conforming provisions to changes made by the act; creating s. 220.153, F.S.; providing for the apportionment of certain taxpayer's adjusted federal income solely by the sales factor

provided in s. 220.15, F.S.; providing for eligibility based on the taxpayer's capital expenditures and number of full-time employees; providing an application process; authorizing the Department of Revenue to examine and verify that a taxpayer has correctly apportioned its taxes; authorizing the Office of Tourism, Trade, and Economic Development to approve and revoke approval of an application; providing for the recapture of unpaid taxes, interest, and penalties; authorizing the office and the department to adopt rules; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

By Senator Wise—

SB 1508—A bill to be entitled An act relating to costs of prosecution; amending s. 28.246, F.S.; requiring the clerk of the court to distribute the funds received from a defendant according to a specified order of priority when the defendant makes a partial payment to the clerk of costs of prosecution; requiring that a portion of the costs of prosecution be remitted to the State Attorneys Revenue Trust Fund; amending s. 903.286, F.S.; requiring that the clerk of the court withhold from the return of a cash bond sufficient funds to pay unpaid costs, including the costs of prosecution; amending s. 938.27, F.S.; imposing certain costs on persons whose cases are disposed of under a pretrial intervention program or pretrial substance abuse intervention program; requiring the court to impose the costs of prosecution and investigation on the defendant; prohibiting the court from converting such costs to court-ordered community service; clarifying the types of cases from which the clerk of the court must collect and dispense cost payments; requiring that the clerk of the court separately record each assessment and payment of costs of prosecution and provide a monthly report to the state attorney of such assessments and payments; requiring the clerk of the court to assign the first of any fees collected as payment for costs of prosecution; amending s. 985.032, F.S.; requiring that a juvenile who is adjudicated delinquent or has adjudication of delinquency withheld be assessed costs of prosecution; reenacting s. 34.191(1), F.S., relating to the disposition of fines and forfeitures, to incorporate the amendment made to s. 28.246, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Latvala—

SB 1510—A bill to be entitled An act relating to state procurement of personal property and services; amending s. 287.012, F.S.; defining the term “off-the-shelf commodities”; amending s. 287.056, F.S.; authorizing the purchase of off-the-shelf commodities that are available under purchasing agreements and state term contracts when such purchases are in the best interest of the state; amending s. 287.057, F.S.; requiring the purchase of generic equivalent off-the-shelf commodities under certain circumstances; amending s. 283.33, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Budget.

By Senator Bennett—

SB 1512—A bill to be entitled An act relating to growth management; amending s. 163.3164, F.S.; defining the terms “mobility plan” and “transit-oriented development”; amending s. 163.3177, F.S.; requiring that certain local governments update the future land use plan element by a specified date and address the compatibility of lands adjacent or proximate to a military installation or airport; providing that the amount of land required to accommodate anticipated growth in local comprehensive plans may not be limited solely by projected population; specifying a formula to be used in projecting population growth; requiring each county and municipality to enter into an interlocal agreement by a specified date which allocates the projected population among local jurisdictions; providing that local governments that fail to agree on the population allocation forfeit certain revenue-sharing funds; amending s. 163.3180, F.S.; specifying how to calculate the proportionate-share contribution for a transportation facility; defining the terms “construction cost” and “transportation deficiency” for purposes of determining the

proportionate-share contribution; delaying the date by which local governments are required to adopt a methodology for assessing proportionate fair-share mitigation options; amending s. 163.3182, F.S.; revising provisions to substitute terminology relating to “transportation deficiencies” for “backlogs”; specifying schedule requirements for mass transit projects; amending s. 380.06, F.S.; exempting certain transit-oriented developments from transportation impact review; amending ss. 163.3162, 163.32465, 186.513, 186.515, 287.042, 288.975, 369.303, 420.5095, 420.9071, and 420.9076, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Community Affairs; Military Affairs, Space, and Domestic Security; Transportation; and Budget.

By Senator Latvala—

SB 1514—A bill to be entitled An act relating to permitting of consumptive uses of water; amending s. 373.236, F.S.; requiring consumptive use permits to be issued for a period of 20 years; providing exceptions; deleting legislative findings requiring the Department of Environmental Protection to provide certain information to agricultural applicants; eliminating requirements for permit compliance reports; removing the authority of the department and the water management district governing boards to request permit compliance reports and to modify or revoke consumptive use permits; providing for the modification of existing consumptive use permits under certain conditions; amending s. 373.250, F.S.; providing requirements for water management districts in evaluating applications for the consumptive use of water in mandatory reuse zones; providing applicability; creating s. 373.255, F.S.; requiring water management districts to implement a sustainable water use permit program for public water utilities; providing program criteria; providing permit application and issuance requirements; providing requirements for permit monitoring, compliance, and performance metrics; amending ss. 373.2234 and 373.243, F.S.; conforming cross-references; directing each water management district to consult with the Department of Environmental Protection to examine options for improving the coordination between the consumptive use permitting process and the water supply planning process by extending and reconciling certain permitting provisions; requiring each water management district to provide a report to the Governor and the Legislature; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Agriculture; and Budget.

By Senator Ring—

SB 1516—A bill to be entitled An act relating to community associations; amending s. 718.111, F.S.; requiring an insurance company insuring condominium association property to provide notice to unit owners if the insurance will be cancelled or not renewed by the association; authorizing a majority of the voting interests of the association to direct the board to obtain substitute coverage; amending s. 718.113, F.S.; authorizing the board of a condominium association to install impact glass or other code-compliant windows under certain circumstances; amending s. 718.116, F.S.; providing that a condominium association may not be deemed to be the previous owner of a condominium unit under certain circumstances; requiring a tenant to pay all of a unit owner's outstanding monetary obligations relating to the unit to the condominium association under certain circumstances; amending s. 720.303, F.S.; providing that a member of a homeowners' association has the right to speak on any matter placed on the agenda of the board of the association for at least 3 minutes; amending s. 720.306, F.S.; specifying additional requirements for elections for members of the board of a homeowners' association; specifying additional requirements for candidates to be a member of the board of a homeowners' association; amending s. 720.3085, F.S.; providing that a condominium homeowners' association may not be deemed to be the previous owner of a parcel under certain circumstances; providing an effective date.

—was referred to the Committees on Regulated Industries; Banking and Insurance; Judiciary; and Budget.

By Senator Altman—

SB 1518—A bill to be entitled An act relating to postsecondary student fees; amending s. 1009.22, F.S.; requiring that acquisitions of improved real property by a district school board or Florida College System institution board of trustees which are funded through the use of the capital improvement fee meet certain survey and construction requirements; authorizing a Florida College System institution that has not met certain relative space needs to establish a capital improvement fee for 5 fiscal years; providing a maximum fee amount; providing requirements relating to the use of the fee; amending s. 1009.23, F.S.; deleting a fee limitation; requiring that acquisitions of improved real property by a Florida College System institution board of trustees which are funded through the use of the capital improvement fee meet certain survey and construction requirements; authorizing a Florida College System institution that has not met certain relative space needs to establish a capital improvement fee for 5 fiscal years; providing a maximum fee amount; providing requirements relating to the use of the fee; providing an effective date.

—was referred to the Committees on Higher Education; and Budget.

SR 1520—Not referenced.

By Senator Gaetz—

SB 1522—A bill to be entitled An act relating to wellness or health improvement programs; amending s. 626.9541, F.S.; authorizing insurers to offer rewards or incentives to health benefit plan members to encourage or reward participation in wellness or health improvement programs; authorizing insurers to require plan members not participating in programs to provide verification that their medical condition warrants nonparticipation; providing application; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Rules.

By Senator Simmons—

SB 1524—A bill to be entitled An act relating to telecommunications; creating the “Regulatory Reform Act”; amending s. 364.01, F.S.; revising legislative intent with respect to the jurisdiction of the Florida Public Service Commission; amending s. 364.011, F.S.; providing that certain basic and nonbasic telecommunication services are exempt from the jurisdiction of the Public Service Commission; amending s. 364.012, F.S.; requiring local exchange telecommunications companies to provide unbundled access to network elements; amending s. 364.0135, F.S.; providing legislative intent relating to the sustainable adoption of broadband Internet service; providing a definition of “sustainable adoption” as it relates to broadband Internet services; removing obsolete legislative intent; authorizing the Department of Management Services to work collaboratively with, and to receive staffing support and other resources from, Enterprise Florida, Inc., state agencies, local governments, private businesses, and community organizations to encourage sustainable adoption of broadband Internet services; authorizing the department to adopt rules; repealing ss. 364.015 and 364.016, F.S., relating to injunctive relief and travel costs of the commission; amending s. 364.02, F.S.; removing definitions for “monopoly service,” “operator service,” and “operator service provider,” and adding a definition for “VoIP”; repealing ss. 364.025, 364.0251, and 364.0252, F.S., relating to uniform telecommunications service, a telecommunications consumer information program, and the expansion of consumer information programs, respectively; amending s. 364.04, F.S.; providing that the commission has no jurisdiction over the content, form, or format of rate schedules published by a telecommunications company; providing that a telecommunications company may undertake certain activities; repealing ss. 364.051, 364.052, 364.057, 364.058, 364.059, 364.06, 364.063, 364.07, and 364.08, F.S., relating to price regulation, regulatory methods for small local exchange telecommunications companies, experimental and transitional rates, limited proceedings, procedures for seeking a stay of proceedings, joint rates, tolls, and contracts, rate adjustment orders, intrastate interexchange service contracts, and unlawful charges against consumers, respectively; amending s. 364.10, F.S.; removing obsolete provisions; requiring an eligible telecommunications carrier to provide a

Lifeline Assistance Plan to qualified residential subscribers; repealing s. 364.15, F.S., relating to repairs, improvements, and additions to telecommunication facilities; amending s. 364.16, F.S., relating to interconnection, unbundling, and resale of telecommunication services; requiring the commission to, upon request, arbitrate and enforce interconnection agreements; prohibiting a telecommunications company from knowingly delivering traffic for which terminating access service charges would otherwise apply; authorizing the commission to adopt rules to prevent the unauthorized changing of a subscriber’s telecommunications service; removing obsolete provisions relating to local exchange telecommunications companies; repealing ss. 364.161 and 364.162, F.S., relating to unbundling and resale of telecommunication services and negotiated prices for interconnection services, respectively; amending s. 364.163, F.S.; conforming provisions to changes made by the act; amending s. 364.183, F.S.; revising provisions relating to access of the commission to certain records of a telecommunications company; repealing ss. 364.185, 364.19, and 364.27, F.S., relating to powers of the commission to investigate and inspect any premises of a telecommunications company, regulation of telecommunication contracts, and powers and duties as to interstate rates, respectively; amending s. 364.33, F.S., relating to the certificate of authority; prohibiting a person from providing any telecommunications service to the public without a certificate of necessity or a certificate of authority issued by the commission; providing that, after a specified date, the commission will no longer issue certificates of necessity; amending s. 364.335, F.S.; requiring an applicant to provide certain information when applying for a certificate of authority; describing the criteria necessary to be granted a certificate of authority; authorizing a telecommunications company to terminate a certificate of authority; repealing s. 364.337, F.S., relating to competitive local exchange companies; amending s. 364.3375, F.S., relating to pay telephone service providers; requiring pay telephone providers to obtain a certificate of authority from the commission; repealing ss. 364.3376, 364.3381, 364.3382, 364.339, 364.345, and 364.37, F.S., relating to operator services, cross-subsidization, cost disclosures, certificates for territories served, shared tenant services, and powers of the commission relating to service territories, respectively; amending s. 364.385, F.S.; removing obsolete provisions relating to saving clauses; amending s. 364.386, F.S.; revising the content to be included in the report to be filed with the Legislature; repealing ss. 364.501, 364.503, 364.506, 364.507, 364.508, 364.515, 364.516, 364.601, 364.602, 364.603, and 364.604, F.S., relating to the prevention of damages to underground telecommunication facilities, mergers or acquisitions, a short title for education facilities, legislative intent for advanced telecommunication services to eligible facilities, definitions, infrastructure investments, penalties for failing to provide advanced telecommunication services, the short title for telecommunication consumer protections, definitions, the methodology for protecting consumers for changing telecommunication providers, and billing procedures to inform and protect the consumer, respectively; amending ss. 196.012, 199.183, 212.08, 290.007, 350.0605, 364.105, 364.32, and 489.103, F.S.; revising cross-references to conform to changes made by the act; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Commerce and Tourism; and Budget.

SB 1526—Not referenced.

By Senator Altman—

SB 1528—A bill to be entitled An act relating to secondary metals recyclers; amending s. 538.18, F.S.; revising and providing definitions; amending s. 319.30, F.S.; conforming a cross-reference; amending s. 538.19, F.S.; revising the period required for secondary metals recyclers to maintain certain information regarding purchase transactions involving regulated metals property; revising requirements for the types of information that secondary metals recyclers must obtain and maintain regarding purchase transactions; limiting the liability of secondary metals recyclers for the conversion of motor vehicles to scrap metal under certain circumstances; amending s. 538.235, F.S.; revising requirements for payments made by secondary metals recyclers to sellers of regulated metals property, to which penalties apply; providing methods of payment for restricted regulated metals property; requiring that purchases of certain property be made by check or by electronic payment; amending s. 538.26, F.S.; prohibiting secondary metals recyclers from purchasing regulated metals property without maintaining

certain records; deleting provisions prohibiting the purchase of regulated metals property from certain persons or at certain locations; prohibiting the purchase of specified restricted regulated metals property without obtaining certain proof of the seller's ownership and authorization to sell the property; creating s. 538.27, F.S.; limiting civil liability of secondary metals recyclers under certain circumstances; establishing an inference that secondary metals recyclers do not commit theft or deal in stolen property under certain circumstances; creating s. 538.28, F.S.; preempting to the state the regulation of secondary metals recyclers and purchase transactions involving regulated metals property; exempting certain ordinances and regulations from preemption; amending s. 812.022, F.S.; establishing an inference that secondary metals recyclers do not commit theft or deal in stolen property under certain circumstances; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Community Affairs; Criminal Justice; and Budget.

By Senator Altman—

SB 1530—A bill to be entitled An act relating to driver's licenses; creating the "Mature Drivers Act"; amending s. 322.05, F.S.; revising age requirements for issuance of driver's licenses; amending ss. 322.126 and 322.161, F.S., relating to reporting of licensed driver's or applicant's mental or physical disability to drive or need to obtain or wear a medical identification bracelet and restriction of the driving privilege of a person who has accumulated six or more points within a 12-month period; conforming provisions to changes made by the act; amending s. 322.1615, F.S.; revising age requirements for issuance of learner's driver's licenses; providing an effective date.

—was referred to the Committees on Transportation; and Budget.

By Senator Altman—

SB 1532—A bill to be entitled An act relating to the Florida Council on Military Base and Mission Support; amending s. 288.984, F.S.; creating the Military Base Encroachment Mitigation Workgroup within the council; directing the workgroup to consider and prioritize potential lands adjacent to federal military installations for purchase and conversion into public parks for off-highway vehicle use; providing a continuing appropriation; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Environmental Preservation and Conservation; and Budget.

By Senator Smith—

SB 1534—A bill to be entitled An act relating to criminal history records of juveniles; creating s. 943.05825, F.S.; providing for the automatic sealing of records of juvenile offenses upon completion of sentence; providing exceptions; providing for the effect of sealing; providing for application of other specified provisions relating to expunction and sealing of records; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Flores—

SB 1536—A bill to be entitled An act relating to murder of a child 17 years of age or younger; creating s. 782.066, F.S.; reclassifying specified murder offenses if committed upon a child 17 years of age or younger; prohibiting a court from suspending, deferring, or withholding adjudication of guilt or imposition of sentence; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Budget.

By Senator Flores—

SJR 1538—A joint resolution proposing the creation of Section 28 of Article I of the State Constitution to prohibit public funding of abortions and prohibit the State Constitution from being interpreted to create broader rights to an abortion than those contained in the United States Constitution.

—was referred to the Committees on Health Regulation; Judiciary; Budget; and Rules.

By Senator Smith—

SB 1540—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term "special risk member"; amending s. 121.0515, F.S.; revising criteria for membership in the special risk class to include court deputies; providing legislative findings that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Governmental Oversight and Accountability; Criminal Justice; Judiciary; and Budget.

By Senator Siplin—

SB 1542—A bill to be entitled An act relating to corporate income tax credits; creating s. 220.1877, F.S.; providing legislative findings and purposes; providing definitions; establishing the Florida Public School Tax Credit Program; providing for credits against the corporate income tax for contributions to public schools for certain purposes; providing limitations; authorizing public schools to determine how to use undesignated contributions; requiring public schools to report certain information to the Department of Revenue; limiting the total annual amount of credits; requiring the department to apportion a dollar amount of tax credits to each school board receiving eligible contributions; providing a formula for apportioning the dollar amount of tax credits to each school board for allocation by the department to taxpayers applying for corporate income tax credits; providing requirements for taxpayers filing consolidated returns; providing procedures and requirements for rescinding credits; providing for use of rescinded credits by other taxpayers; specifying certain taxpayers as ineligible to receive the corporate tax credit; specifying administrative rules for use and application of the credit; requiring the Department of Revenue and the State Board of Education to adopt rules; providing requirements for deposits of eligible contributions; providing criteria for preservation of tax credits under certain circumstances; providing a limitation; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Education Pre-K - 12; and Budget.

By Senator Jones—

SB 1544—A bill to be entitled An act relating to death and fetal death registration; amending s. 382.008, F.S.; providing for advanced registered nurse practitioners to provide certification of death or fetal death; providing an effective date.

—was referred to the Committees on Health Regulation; Regulated Industries; and Budget.

By Senator Thrasher—

SB 1546—A bill to be entitled An act relating to charter schools; amending ss. 163.3180, 196.1983, and 1002.32, F.S.; conforming cross-references; amending s. 1002.33, F.S.; revising provisions relating to the sponsoring entities of charter schools; authorizing state universities and colleges to approve charter school applications and develop charter schools under certain circumstances; requiring that the Department of Education provide or arrange for training and technical assistance for charter schools; requiring that a charter school applicant participate in the training before filing an application; removing certain provisions relating to the appeal process for charter school applicants and the Charter School Appeal Commission; creating the Charter School Review

and Appeals Panel; providing duties, responsibilities, and membership of the panel; providing for the designation of charter schools as high-performing if certain requirements are met; providing definitions relating to the high-performing charter school system; revising provisions to conform to changes made by the act; amending ss. 1002.34, 1002.345, 1011.68, 1012.32, and 1013.62, F.S.; conforming cross-references; creating the College-Preparatory Boarding Academy Pilot Program for dependent or at-risk students; providing a purpose for the program; requiring that the State Board of Education implement the program; providing definitions; requiring that the state board select a private nonprofit corporation to operate the academy if certain qualifications are met; requiring that the state board request proposals from private nonprofit corporations; providing requirements for such proposals; requiring that the state board enter into a contract with the operator of the academy; requiring that the contract contain specified requirements; requiring that the operator adopt bylaws, subject to approval by the state board; requiring that the operator adopt an outreach program with the local education agency or school district and community; providing that the academy is a public school and part of the state's education program; providing program funding guidelines; limiting the capacity of eligible students attending the academy; requiring that enrolled students remain under case management services and the supervision of the lead agency; authorizing the operator to appropriately bill Medicaid for services rendered to eligible students or earn federal or local funding for services provided; providing for eligible students to be admitted by lottery if the number of applicants exceeds the allowed capacity; authorizing the operator to board dependent, at-risk students; requiring that the state board issue an annual report and adopt rules; requiring that the Office of Program Policy and Analysis and Government Accountability conduct a study comparing the funding of charter schools to the funding of public schools; providing requirements for the study; requiring that the office submit its recommendations and findings to the Governor and the Legislature by a specified date; providing for severability; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Higher Education; and Budget.

By Senator Lynn—

SB 1548—A bill to be entitled An act relating to the Streamlined Sales and Use Tax Agreement; amending s. 212.02, F.S.; revising definitions; amending s. 212.03, F.S.; specifying certain facilities that are exempt from the transient rentals tax; amending s. 212.0306, F.S.; eliminating the use of brackets in the calculation of sales and use taxes; amending s. 212.031, F.S.; providing that an exception relating to food and drink concessionaire services from the tax on the license or rental fee for the use of real property is limited to the space used exclusively for selling and distributing food and drinks; providing that the amendment to the exception from the tax on the license or rental fee for the use of real property is retroactive and remedial in nature; amending s. 212.04, F.S.; eliminating the use of brackets in the calculation of sales and use taxes; limiting the application of an exemption from the admissions tax to certain events sponsored by certain educational institutions; amending s. 212.05, F.S.; deleting a reference to mail-order sales to conform to changes made by the act; deleting criteria establishing circumstances under which taxes on the lease or rental of a motor vehicle are due; revising criteria establishing circumstances under which taxes on the sale of a prepaid calling arrangement are due; increasing the tax rate applicable to coin-operated amusement machines; eliminating the use of brackets in the calculation of sales and use taxes; amending s. 212.0506, F.S.; eliminating the use of brackets in the calculation of the tax on service warranties; amending s. 212.054, F.S.; limiting the \$5,000 cap on discretionary sales surtax to the sale of motor vehicles, aircraft, boats, motor homes, manufactured homes, modular homes, and mobile homes; specifying the time at which changes in surtaxes may take effect; providing criteria to determine the situs of certain sales; requiring the Department of Revenue to notify dealers of changes in surtax rates; providing for databases to identify taxing jurisdictions; providing criteria for holding purchasers harmless for failure to pay the correct amount of tax; holding sellers harmless for failing to collect a tax at a new rate under certain circumstances; amending s. 212.055, F.S.; deleting a provision providing for the emergency fire rescue services and facilities surtax to be initiated on a certain date after the approval of the tax in a referendum; amending s. 212.06, F.S.; deleting a reference to mail-order sales to conform to changes made by the act; specifying pro-

cedures for the sourcing of advertising and promotional direct mail; specifying procedures for sourcing other direct mail; providing definitions; providing that sales and use taxes do not apply to transactions involving tangible personal property that is exported from this state under certain circumstances; amending s. 212.07, F.S.; authorizing the Department of Revenue to use electronic means to notify dealers of changes in the sales and use tax rates; authorizing the Department of Revenue to create and maintain a taxability matrix; providing immunity from liability for acts in reliance on the taxability matrix; amending s. 212.08, F.S.; revising exemptions from the sales and use tax for food and medical products; limiting the exemption for building materials used in the rehabilitation of real property located in an enterprise zone to one exemption per building; defining terms relating to the exemption for building materials used in the rehabilitation of real property located in an enterprise zone; exempting certain charges relating to railroad cars which are subject to the jurisdiction of the United States Interstate Commerce Commission from sales and use taxes; exempting certain payments relating to a high-voltage bulk transmission facility from sales and use taxes; deleting references to "qualifying property" to conform to changes made by the act; creating s. 212.094, F.S.; providing a procedure for a purchaser to obtain a refund of tax collected by a dealer; amending s. 212.12, F.S.; authorizing the Department of Revenue to establish collection allowances for certified service providers; deleting a reference to mail-order sales to conform to changes made by the act; providing for the computation of taxes based on rounding instead of brackets; amending s. 212.15, F.S.; deleting a cross-reference relating to a provision providing for the state to hold certain tax revenues for the benefit of another state, to conform to changes made by the act; amending s. 212.17, F.S.; providing additional criteria for a dealer to claim a credit or refund for taxes paid relating to bad debts; amending s. 212.18, F.S.; authorizing the Department of Revenue to waive the dealer registration fee for applications submitted through a multistate electronic registration system; deleting a reference to mail-order sales to conform to changes made by the act; amending s. 212.20, F.S.; deleting procedures for refunds of tax paid on mail order sales; creating s. 213.052, F.S.; requiring the Department of Revenue to notify dealers of changes in a sales and use tax rate; specifying dates on which changes in sales and use tax rates may take effect; creating s. 213.0521, F.S.; providing the effective date for changes in the rate of state sales and use taxes applying to services; creating s. 213.215, F.S.; providing amnesty for uncollected or unpaid sales and use taxes for sellers who register under the Streamlined Sales and Use Tax Agreement; providing exceptions to the amnesty; amending s. 213.256, F.S.; defining terms; authorizing the Department of Revenue to enter into agreements with other states to simplify and facilitate compliance with sales tax laws; creating s. 213.2562, F.S.; requiring the Department of Revenue to review software submitted to the governing board for certification as a certified automated system; creating s. 213.2567, F.S.; providing for the registration of sellers, the certification of a person as a certified service provider, and the certification of a software program as a certified automated system by the governing board under the Streamlined Sales and Use Tax Agreement; authorizing the Department of Revenue to adopt emergency rules; requiring the President of the Senate and Speaker of the House of Representatives to create a joint select committee to study certain matters related to state taxation; amending ss. 11.45, 196.012, 202.18, 203.01, 212.052, 212.081, 212.13, 218.245, 218.65, 288.1045, 288.11621, 288.1169, 551.102, and 790.0655, F.S.; conforming cross-references to changes made by the act; repealing s. 212.0596, F.S., relating to provisions pertaining to the taxation of mail-order sales; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

By Senator Negron—

SB 1550—A bill to be entitled An act relating to the Education Savings Account Program; creating s. 1002.385, F.S.; providing definitions; specifying criteria for students who are eligible to participate in the program; identifying certain students who may not participate in the program; providing that a parent may direct a financial institution trustee of his or her child's account to use the funds for specified costs of attending a private school or participating in a dual enrollment program or to make a contribution to the child's college savings plan or a payment to a contract under the Stanley G. Tate Florida Prepaid College Program; requiring a financial institution to transfer an account to another

participating financial institution upon the request of a parent as provided by the Chief Financial Officer by rule; authorizing a parent to direct the trustee to donate unspent funds in an account when a student graduates from high school or when the student's participation in the program is terminated; requiring the trustee to donate the unspent funds to the student's school district if a selection is not timely made; requiring a parent to apply to the Department of Education for his or her child to participate in the program; specifying responsibilities of a parent or student for using funds in an account to attend a private school or private virtual school; requiring a student who participates in the program and attends a private school or private virtual school to take norm-referenced assessment tests required by the Department of Education; specifying responsibilities of a parent or student for using funds in an account to hire a private tutor or private tutoring program; specifying responsibilities of a parent or student for using funds in an account to participate in a dual enrollment program; specifying eligibility criteria for private schools, private tutors, private tutoring programs, and private postsecondary institutions to participate in the program; providing that all state postsecondary institutions are eligible to participate in the program; requiring that the Department of Education establish an enrollment period for the program, process student applications by a certain date, verify the eligibility of private schools, private virtual schools, private tutors, private tutoring programs, and postsecondary institutions, publish a list of eligible private schools, submit the list to participating financial institutions by a certain date, notify the participating financial institutions of certain students, establish a toll-free hotline for certain information, establish a process for reporting to the department violations of law relating to the program, require participating private schools, private virtual schools, private tutors, private tutoring programs, and postsecondary institutions to certify compliance with the requirements of the program, compare the list of participating students with the public school enrollment lists, maintain a list of nationally norm-referenced assessment tests, select an independent research organization that must make annual reports relating to the learning gains of students in the program, publish certain annual reports on its website, conduct random visits to certain schools, and issue a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives; requiring that the Chief Financial Officer process applications from financial institutions to participate in the program, provide a list of participating financial institutions to the department by a certain date each year, conduct random audits of participating financial institutions, revoke the eligibility of a financial institutions for violations of law relating to the program, and make payments to the accounts of participating students in specified situations; requiring financial institutions to apply to the Chief Financial Officer to participate in the program; providing that a participating financial institution serves as a trustee for a student's account; limiting the fees that may be charged by a financial institution for its services under the program; requiring a financial institution to make timely quarterly payments directly to a private school, private tutor, private tutoring program, or postsecondary institution; requiring a financial institution to make timely quarterly payments to a selected college savings plan or the Stanley G. Tate Florida Prepaid College Program; requiring a financial institution to notify the department of the identity of certain students at certain dates; requiring a financial institution to annually notify the Chief Financial Officer of its intent to continue to participate in, or intent to withdraw from, the program; requiring a financial institution to provide advance notice to the Chief Financial Officer and parents of students participating in the program before withdrawing from the program; specifying criteria and procedures by which the Commissioner of Education may deny, suspend, or revoke a private school's participation in the program; specifying procedures by which a private school may challenge the decision of the Commissioner of Education to deny, suspend, or revoke the school's participation in the program; requiring the director of the Division of Administrative Hearings to expedite a hearing in certain situations; authorizing the Commissioner of Education to order participating financial institutions to immediately suspend payments from a student's account to a participating private school under certain circumstances; providing for appeal against a payment suspension; authorizing the Office of Inspector General of the Department of Education to release otherwise confidential student information under certain circumstances involving allegations of fraudulent activity under the program; specifying a formula to be used in determining the amount of annual payments made to a student's account under the program; providing for the random selection of applicants to the program who are attending a home education program or a private school; providing a calculation to determine the number of such students who may partici-

pate in the program; authorizing the Legislative Budget Commission to transfer funds in excess of amounts required to fully fund the accounts of all participating students to the Florida Education Finance Program; requiring the department and the Department of Financial Services to develop an agreement to assist in the administration of the program; requiring the State Board of Education to adopt rules for the Department of Education and the Commissioner of Education to administer the program; requiring the Chief Financial Officer to adopt rules to administer its responsibilities under the program; providing for the enrollment period and for the number of eligible students for the 2011-2012 school year; requiring the department to randomly select participating students in specified situations; authorizing the State Board of Education to adopt emergency rules for the department and the Commissioner of Education to implement the program; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Higher Education; and Budget.

By Senator Lynn—

SB 1552—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; defining the terms “community service” and “reemployment services”; amending s. 443.091, F.S.; providing that an unemployed individual is eligible to receive benefits if he or she participates in a community service program administered by a regional workforce board; authorizing the Agency for Workforce Innovation to adopt rules; conforming a cross-reference; amending s. 443.1216, F.S.; providing that community services are not covered by unemployment compensation; conforming cross-references; amending s. 443.131, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Commerce and Tourism; and Budget.

By Senator Hays—

SB 1554—A bill to be entitled An act relating to emergency vehicles; amending s. 318.18, F.S.; increasing the fine for the failure to comply with s. 316.126(1)(b), relating to yielding to emergency vehicles; providing an effective date.

—was referred to the Committees on Transportation; Health Regulation; and Military Affairs, Space, and Domestic Security.

By Senator Margolis—

SB 1556—A bill to be entitled An act relating to sales tax exemptions; amending s. 212.031, F.S.; exempting from the sales tax certain separately stated charges imposed on a lessee or licensee of leased or licensed premises; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Budget.

By Senator Benacquisto—

SCR 1558—A concurrent resolution calling for the Congress of the United States to call a convention pursuant to Article V of the United States Constitution to propose a constitutional amendment permitting repeal of any federal law or regulation by vote of two-thirds of the state legislatures.

—was referred to the Committees on Judiciary; Governmental Oversight and Accountability; and Rules.

By Senator Wise—

SB 1560—A bill to be entitled An act relating to violations of conditional release, control release, conditional medical release, or addiction-recovery supervision; amending s. 947.141, F.S.; authorizing the Parole Commission to order that a releasee who has violated the conditions of release or supervision be placed into a state prison; providing guidelines

and time limits with respect to such placement; providing an effective date.

—was referred to the Committees on Criminal Justice; and Budget.

By Senator Siplin—

SB 1562—A bill to be entitled An act relating to employment practices; prohibiting the use of a job applicant's personal credit history as a hiring criterion; providing an exception; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Banking and Insurance; and Governmental Oversight and Accountability.

By Senator Fasano—

SB 1564—A bill to be entitled An act relating to a special election; providing for a special election to be held on the date of the presidential preference primary in 2012, pursuant to Section 5 of Article XI of the State Constitution, for the approval or rejection by the electors of this state of amendments to the State Constitution, proposed by joint resolution, to prohibit increases in the assessed value of homestead property if the fair market value of the property decreases, reduce the limitation on annual assessment increases applicable to nonhomestead real property, provide an additional homestead exemption for owners of homestead property who have not owned homestead property for a specified time before purchase of the current homestead property, provide application and limitations with respect thereto, and provide an effective date if such amendments are adopted; providing for publication of notice and for procedures; providing an appropriation; providing a contingent effective date.

—was referred to the Committees on Community Affairs; Rules; and Budget.

By Senator Alexander—

SB 1566—A bill to be entitled An act relating to interstate health insurance policies; creating s. 624.122, F.S.; authorizing solicitation and sale of interstate health insurance policies in this state by certain persons; providing a definition; requiring interstate health insurance policies and policy applications to contain a certain notice; providing for application of certain provisions to certain insurers; excluding interstate health insurance policies from certain requirements; exempting interstate health insurance policies and applications from certain Florida Insurance Code provisions; providing exceptions; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Budget.

By Senator Montford—

SB 1568—A bill to be entitled An act relating to insurer insolvency; creating s. 631.2715, F.S.; providing for State Risk Management Trust Fund coverage for specified officers, employees, agents, and other representatives of the Department of Financial Services for liability under specified federal laws relating to receiverships; providing for retroactive application; amending s. 631.54, F.S.; providing that a covered claim for purposes of specified guaranty provisions does not include a claim rejected by another state's guaranty fund or liquidation law on the basis that it constitutes a claim under a policy issued by an insolvent insurer which is within a deductible or self-insured retention; amending s. 631.56, F.S.; providing that any board member of the Florida Insurance Guaranty Association representing an insurer in receivership shall be terminated as a board member; specifying a termination date; amending s. 631.57, F.S.; providing for actions by the Florida Insurance Guaranty Association to obtain custody and control of records and data related to an insolvent insurer; providing for an award of attorney's fees and costs in certain circumstances; providing for construction with other rights and remedies; amending s. 631.904, F.S.; providing that a covered claim for purposes of specified guaranty provisions does not include a claim rejected by another state's guaranty fund or liquidation law on the basis that it constitutes a claim under a policy issued by an insolvent insurer

which is within a deductible or self-insured retention; amending s. 631.912, F.S.; providing that any board member of the Florida Workers' Compensation Insurance Guaranty Association who is employed by, or has a material relationship with, an insurer in receivership shall be terminated as a board member; specifying a termination date; amending s. 631.913, F.S.; providing for actions by the Florida Workers' Compensation Insurance Guaranty Association to obtain custody and control of records and data related to an insolvent insurer; providing for an award of attorney's fees and costs in certain circumstances; providing for construction with other rights and remedies; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Budget.

By Senator Evers—

SB 1570—A bill to be entitled An act relating to billboard regulation; amending s. 479.01, F.S.; revising and clarifying definitions relating to the regulation of billboards; providing an effective date.

—was referred to the Committees on Transportation; Commerce and Tourism; Community Affairs; and Budget.

By Senator Siplin—

SB 1572—A bill to be entitled An act relating to the termination of gas or electric service; prohibiting any utility from terminating a senior citizen's or low-income family's gas or electric service for nonpayment on any day, or on the following 2 calendar days, during which the National Weather Service forecasts extreme temperatures in the area in which the senior citizen or low-income family resides; prohibiting any utility from terminating a senior citizen's or low-income family's gas or electric service for nonpayment on any day preceding a holiday or weekend during which the National Weather Service forecasts extreme temperatures in the area in which the senior citizen or low-income family resides; providing an effective date.

—was referred to the Committees on Communications, Energy, and Public Utilities; Children, Families, and Elder Affairs; and Budget.

By Senator Latvala—

SB 1574—A bill to be entitled An act relating to business enterprise opportunities for wartime veterans; amending s. 295.187, F.S.; revising legislative intent; renaming and revising the Florida Service-Disabled Veteran Business Enterprise Opportunity Act to expand the vendor preference in state contracting to include certain businesses owned and operated by wartime veterans; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Budget.

SR 1576—Not referenced.

By Senator Simmons—

SJR 1578—A joint resolution proposing an amendment to Section 6 of Article VII and the creation of Section 32 of Article XII of the State Constitution to change the valuation to which the homestead exemption applies and to provide an alternative homestead exemption.

—was referred to the Committees on Community Affairs; Judiciary; Budget; and Rules.

By Senator Sobel—

SB 1580—A bill to be entitled An act relating to medspas; amending s. 400.9905, F.S.; redefining the term "clinic" to include a medspa for purposes of regulation under the Health Care Clinic Act; defining the term "medspa"; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Sobel—

SB 1582—A bill to be entitled An act relating to bullying or harassment; amending s. 1006.147, F.S.; requiring the Department of Education to create a stand-alone model policy designed to protect students from bullying and harassment; providing criteria; requiring that each public K-12 educational institution designate a school employee as counselor for any student suffering from bullying or harassment; requiring the Department of Education to approve and produce training materials; requiring the department to provide the materials at no cost to public K-12 educational institutions; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Sobel—

SB 1584—A bill to be entitled An act relating to deaf and hard-of-hearing children; creating the “Deaf and Hard-of-Hearing Children’s Educational Bill of Rights”; providing findings and purpose; recognizing the unique communication needs of deaf and hard-of-hearing children and encouraging the development of a communication-driven and language-driven educational delivery system in the state; requiring the Department of Education to develop a communication model to become part of the individual education plan process for deaf and hard-of-hearing students; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Hays—

SB 1586—A bill to be entitled An act relating to the authority of certain professionals to practice in this state; amending ss. 455.2185 and 456.023, F.S.; deleting provisions that limit the practice privileges of out-of-state or foreign health care professionals or veterinarians who are in this state for a specific sporting event; providing an effective date.

—was referred to the Committees on Health Regulation; Regulated Industries; and Budget.

By Senator Latvala—

SB 1588—A bill to be entitled An act relating to licensed security officers; amending s. 493.6120, F.S.; providing that a person who engages in any activity for which ch. 493, F.S., requires a license, but acts without having a license, commits a misdemeanor of the first degree; providing that a person commits a felony of the third degree for a second or subsequent offense of engaging in activities without a license; authorizing the Department of Agriculture and Consumer Services to impose a civil penalty not to exceed a specified amount; providing that penalties do not apply if the person engaged in unlicensed activity within 90 days after the expiration date of the person’s license; providing that a person who, while impersonating a security officer, private investigator, recovery agent, or other person required to have a license under ch. 493, F.S., knowingly and intentionally forces another person to assist the impersonator in an activity within the scope of duty of a professional licensed under ch. 493, F.S., commits a felony of the third degree; providing that a person who impersonates a security officer or other designated officer during the commission of a felony commits a felony of the second degree; providing that a person who impersonates a security officer or other designated officer during the commission a felony that results in death or serious bodily injury to another human being commits a felony of the first degree; authorizing a licensed security officer or a licensed security agency manager to detain a person on the premises of a critical infrastructure facility if the security officer has probable cause to believe that the person has committed or is committing a crime and for the purpose of ascertaining the person’s identity and the circumstances of the activity that is the basis for the temporary detention; providing that the person may be detained until a responding law enforcement officer arrives at the critical infrastructure facility; requiring the security officer to notify the law enforcement agency as soon as possible;

requiring that custody of any person temporarily detained be immediately transferred to the responding law enforcement officer; prohibiting a licensed security officer or security agency manager from detaining a person after the arrival of a law enforcement officer unless the law enforcement officer requests the security officer to assist in detaining the person; authorizing the security officer to search the person detained if the security officer observes that the person temporarily detained is armed with a firearm, concealed weapon, or any destructive device that poses a threat to the safety of the security officer, or the detainee admits to the security officer that he or she is armed with a weapon; requiring the security officer to seize any weapon discovered and transfer the weapon to the responding law enforcement officer; defining the term “critical infrastructure facility”; providing identification requirements for licensed security officers; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Criminal Justice; and Budget.

By Senator Hays—

SB 1590—A bill to be entitled An act relating to medical malpractice actions; creating ss. 458.3175 and 459.0066, F.S.; requiring the Board of Medicine and the Board of Osteopathic Medicine to issue expert witness certificates to physicians licensed outside the state; providing application and certification requirements; establishing application fees; providing for validity and use of the certification; exempting a physician issued a certificate from certain licensure and fee requirements; requiring the boards to adopt rules; amending ss. 458.331 and 459.015, F.S.; providing additional acts that constitute grounds for denial of a license or disciplinary action to which penalties apply; amending s. 627.4147, F.S.; deleting a requirement that medical malpractice insurance contracts contain a clause authorizing the insurer to make and conclude certain offers within policy limits over the insured’s veto; amending s. 766.102, F.S.; revising the length of devoted, professional time required in order for a health care provider to qualify to give expert testimony regarding the prevailing professional standard of care; requiring an expert witness in certain medical negligence actions to be licensed under ch. 458 or ch. 459, F.S., or possess an expert witness certificate under certain conditions; providing that certain medical expert testimony is not admissible unless the expert witness meets certain requirements; amending s. 766.106, F.S.; requiring claimants for medical malpractice to execute an authorization form; deleting a provision prohibiting failure to provide certain presuit notice from serving as grounds for imposing sanctions; providing that certain immunity arising from participation in the presuit screening process does not prohibit certain physicians from being subject to certain penalties; allowing prospective medical malpractice defendants to interview a claimant’s treating health care providers without notice to or the presence of the claimant or the claimant’s legal representative; authorizing prospective defendants to take unsworn statements of a claimant’s health care providers; creating s. 766.1065, F.S.; requiring that presuit notice for medical negligence claims be accompanied by an authorization for release of protected health information; providing requirements for the form of such authorization; amending s. 766.206, F.S.; requiring dismissal of a medical malpractice claim and payment of certain costs if such authorization form is not completed in good faith; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Budget.

SB 1592—Previously Referenced.

By Senator Sachs—

SB 1594—A bill to be entitled An act relating to pari-mutuel permitholders; amending s. 550.002, F.S., which defines the term “full schedule of live racing or games”; providing that a greyhound permitholder shall not be required to conduct a minimum number of live performances; amending s. 550.01215, F.S.; revising requirements for an application for a license to conduct performances; providing an extended period to amend certain applications; amending s. 550.054, F.S.; removing a requirement for holders of certain converted permits to conduct a full schedule of live racing to qualify for certain tax credits; amending s. 550.0951, F.S.; revising provisions for transfer by a permitholder of a

tax exemption or license fee credit to a greyhound permitholder; revising the tax on handle for dogracing and intertrack wagering; amending s. 550.09514, F.S.; revising purse requirements for greyhound racing and provisions for payment of purses; amending s. 550.615, F.S.; revising provisions for intertrack wagering; amending ss. 550.26165 and 550.6305, F.S.; conforming cross-references to changes made by the act; amending s. 551.104, F.S.; revising a condition of licensure for the conduct of slot machine gaming; amending s. 551.114, F.S.; revising requirements for designated slot machine gaming areas; amending s. 849.086, F.S.; revising requirements for initial and renewal issuance of a cardroom license; providing that neither a corresponding pari-mutuel license application nor a minimum number of live performances is required for a greyhound permitholder to maintain or renew a cardroom license; providing an effective date.

—was referred to the Committees on Regulated Industries; Budget; and Rules.

By Senator Sobel—

SB 1596—A bill to be entitled An act relating to charter schools; amending s. 1002.33, F.S.; providing a requirement for the composition of a charter school's governing body; conforming cross-references; providing for the shared use of facilities by charter schools; providing requirements for the transfer of enrolled students to certain charter schools; providing conditions that render a charter school ineligible for state implementation grant funds; providing capacity restrictions; amending s. 1002.345, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Siplin—

SM 1598—A memorial to the Congress of the United States, urging Congress to support repeal of Section 511 of the Tax Increase Prevention and Reconciliation Act, which requires governments that annually spend more than \$100 million to withhold a 3 percent federal tax on payments made for certain goods and services.

—was referred to the Committees on Governmental Oversight and Accountability; and Community Affairs.

By Senator Rich—

SB 1600—A bill to be entitled An act relating to health insurance; providing a short title; providing a definition; authorizing an employee of a corporation that employs a specified number of employees to participate in the state group health insurance plan; providing conditions for eligibility to participate in the state group health insurance plan; authorizing a state resident to participate in the state group health insurance plan under certain conditions; requiring certain premium payments to be made electronically; requiring a corporation to apply for participation in the state group health insurance plan; requiring a corporation to agree to specified terms and conditions before participating in the plan; providing for open enrollment in the state group health insurance plan for eligible corporate employees and state residents; providing a corporate income tax credit to corporations participating in the plan for a specified percentage of contributions made towards employee premiums; limiting the total amount of tax credits available to all eligible corporations to a specified amount; authorizing the Department of Management Services to adopt rules for the implementation and administration of the act; authorizing the Department of Revenue to adopt rules for implementing the act and allocating tax credits; creating s. 625.083, F.S.; requiring financial reports of certain health insurers to be reported on a combined corporate basis; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Budget.

By Senator Gaetz—

SB 1602—A bill to be entitled An act relating to the Division of Emergency Management; transferring the division to the Executive Office of the Governor and renaming it the “Office of Emergency Management”; creating s. 14.2016, F.S.; establishing the Office of Emergency Management in the Executive Office of the Governor; amending ss. 20.18 and 125.01045, F.S.; conforming provisions to changes made by the act; amending s. 215.559, F.S.; revising the membership of the Hurricane Loss Mitigation Program's advisory group; conforming provisions to changes made by the act; amending ss. 163.3178, 166.0446, 215.5586, 252.32, 252.34, 252.35, 252.355, 252.61, 252.82, 252.936, 252.937, 252.943, 252.946, 282.34, 282.709, 311.115, 526.143, 526.144, 627.0628, 768.13, 943.03, 943.03101, 943.0312, and 943.0313, F.S.; conforming provisions to changes made by the act; amending ss. 112.3135, 119.071, 163.03, 163.360, 175.021, 186.505, 216.231, 250.06, 339.135, and 429.907, F.S.; conforming cross-references; providing a directive to the Division of Statutory Revision; providing an effective date.

—was referred to the Committees on Military Affairs, Space, and Domestic Security; Governmental Oversight and Accountability; and Budget.

By Senator Siplin—

SB 1604—A bill to be entitled An act relating to identification cards; amending s. 322.051, F.S.; providing that a Department of Corrections original certificate of identification or valid identification card is satisfactory proof of identity in order to be issued an identification card by the Department of Highway Safety and Motor Vehicles; providing an effective date.

—was referred to the Committees on Criminal Justice; Transportation; and Budget.

By Senator Altman—

SB 1606—A bill to be entitled An act relating to public records; creating s. 626.84195, F.S.; providing an exemption from public-records requirements for financial information, such as revenue, loss, and expense data, which is supplied periodically by a licensed title insurance agency to the Department of Financial Services in order to assist the department in analyzing title insurance premium rates, title search costs, and the financial viability of the title insurance industry in the state; requiring that the information be supplied to the department by a specified date; requiring the department to adopt rules; authorizing the department to disclose the total combined responses of all agencies and reporting entities; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Banking and Insurance; Governmental Oversight and Accountability; and Budget.

By Senator Ring—

SB 1608—A bill to be entitled An act relating to dentistry; amending s. 466.006, F.S.; providing that an applicant who has maintained his or her dental license in good standing in another state for a specified number of years immediately before applying to take the licensing examinations to practice dentistry in this state is entitled to take such examinations; providing an effective date.

—was referred to the Committees on Health Regulation; and Budget.

By Senator Detert—

SB 1610—A bill to be entitled An act relating to the state minimum wage; amending s. 448.109, F.S.; conforming a provision to changes made by the act; amending s. 448.110, F.S.; providing for calculating the Florida minimum wage when the state minimum wage and the federal minimum wage for the prior year is lower than the adjusted real wage; providing an effective date.

—was referred to the Committees on Commerce and Tourism; Governmental Oversight and Accountability; and Budget.

By Senator Richter—

SB 1612—A bill to be entitled An act relating to regulation of the paralegal profession; requiring the Florida Supreme Court to establish a program to require the licensure of paralegals practicing in this state; requiring that the Supreme Court establish minimum standards and qualifications and provide for continuing education, certification, and professional conduct; requiring the Supreme Court to create an independent board to assist in the regulation of paralegals; providing penalties for unlicensed practice; providing an effective date.

—was referred to the Committees on Judiciary; and Budget.

By Senator Alexander—

SB 1614—A bill to be entitled An act relating to high school graduation requirements; amending s. 1003.428, F.S.; revising provisions relating to the general requirements for high school graduation to include a Career Academy curriculum and an Honors ROTC curriculum; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Flores—

SB 1616—A bill to be entitled An act relating to the Dan Marino Foundation Florida Vocational College; establishing the Dan Marino Foundation Florida Vocational College in Broward County as a public residential postsecondary school for certain students who have developmental disabilities; providing funding for the school through the Department of Education; requiring that the school comply with the laws and rules applicable to state agencies unless otherwise provided by law; requiring that the school provide educational programs and services; requiring that the Auditor General conduct annual audits of the school's accounts and records; creating a board of trustees; providing membership, terms, and specifying powers and duties of the board; requiring that the board submit legislative budget requests for operations and fixed capital outlay; requiring that the board provide for the content and custody of student and employee personnel records; authorizing the board to provide legal services and reimbursement of expenses for officers and employees of the board; requiring notice and a public meeting under certain circumstances; requiring that all employees and applicants for employment with the board undergo personnel screening and security background investigations; providing a penalty for failure to disclose certain material facts and for use of confidential information for certain purposes; authorizing the employment of campus police and providing powers, duties, and qualifications; requiring reporting of on-campus crime statistics; amending s. 1000.04, F.S.; providing that the Dan Marino Foundation Florida Vocational College is a component of the delivery of public education within Florida's K-20 education system; amending s. 1001.20, F.S.; authorizing investigations by the Office of Inspector General within the Department of Education; providing an effective date.

—was referred to the Committees on Higher Education; Commerce and Tourism; and Budget.

By Senator Diaz de la Portilla—

SB 1618—A bill to be entitled An act relating to elections; amending s. 106.25, F.S.; allowing a respondent who is alleged by the Elections Commission to have violated the election code or campaign financing laws to elect as a matter of right a formal hearing before the Division of Administrative Hearings; authorizing an administrative law judge to assess civil penalties upon the finding of a violation; amending s. 106.265, F.S.; authorizing an administrative law judge to assess civil penalties upon a finding of a violation of the election code or campaign financing laws; providing for civil penalties to be assessed against an electioneering communications organization; removing reference to the expired Election Campaign Financing Trust Fund; directing that mon-

ies from penalties and fines be deposited into the General Revenue Fund; providing an effective date.

—was referred to the Committees on Rules; Judiciary; and Budget.

By Senator Flores—

SB 1620—A bill to be entitled An act relating to K-12 educational instruction; amending s. 163.3180, F.S.; conforming cross-references to changes made by the act; amending s. 1002.20, F.S.; adding statewide virtual providers to the list of public school choices; amending s. 1002.33, F.S.; authorizing the creation of a virtual charter school; requiring the virtual charter school to contract with an approved statewide virtual provider; providing for funding of the virtual charter school; providing that specified provisions governing facilities and transportation do not apply to a virtual charter school; providing for a blended-learning charter school; defining the term; exempting blended-learning charter schools from the application process required of other institutions that wish to become statewide or district virtual instruction program providers; providing for funding; authorizing the sponsoring district of a virtual charter school to withhold a specified administrative fee to cover the cost of oversight; amending s. 1002.34, F.S.; conforming cross-references to changes made by the act; amending s. 1002.37, F.S.; redefining the term "full-time equivalent student" as it applies to the Florida Virtual School; amending s. 1002.41, F.S.; providing that home education students may enroll in certain virtual education courses or courses offered in the school district in which they reside; amending s. 1002.45, F.S.; expanding the scope of virtual education programs; providing legislative findings and purpose; providing definitions; requiring the Department of Education to provide an application form and specifying a timeframe for posting the list of providers approved to offer virtual education programs; deleting the requirement that a provider's administrative office be located in this state; providing additional criteria that must be met by providers seeking approval to operate virtual programs, including requirements for professional staff, course standards, detailed curriculum plans and course content, determination of student completion of graduation requirements, and a parent handbook; specifying that, beginning in the 2012-2013 school year, provider approval is for 3 years; providing an exception for providers approved before that date; specifying that after a certain date providers must provide necessary instructional materials and specified computer equipment and Internet access or reimbursement for Internet services to certain low-income students; prohibiting tuition or registration fees; authorizing school districts to provide eligible students with the option of participating in a district virtual instruction program; stating the purpose of the district program; specifying that the district program may be offered on a part-time basis for students in certain grades; authorizing school districts to enter into contracts with the Florida Virtual School, approved providers, or a charter school or to enter into cooperative agreements with other school districts to provide access to virtual instruction to students in their district; authorizing multidistrict contracts that may be executed by regional consortiums; requiring school district virtual instruction programs to align course curriculum and content to certain standards and to offer courses that meet certain standards; requiring district programs to provide certain low-income students with specified computer equipment, Internet access, or reimbursement for Internet services; requiring school districts to provide students enrolled in a virtual program with access to district testing facilities; specifying minimum criteria for provider contracts and exempting from those criteria providers of certain digital or online content or curriculum who serve students who are not enrolled in a district program; providing student eligibility and enrollment criteria; providing for full-time or part-time enrollment in district programs and programs offered by an approved statewide virtual provider; specifying a timeframe for the registration period for virtual programs; deleting existing enrollment criteria related to attendance during the previous year at a public school or in a virtual program, dependency on a member of the United States Armed Forces, and sibling enrollment in a virtual program; providing student participation requirements; requiring school districts to provide access to district testing facilities, to provide information to parents and students about student rights, and to post certain information on the district's website; requiring the Department of Education to review the qualifications of statewide virtual providers and to approve those who meet qualification standards; requiring the department to establish a process for the review and approval of course content and to develop a process to evaluate the performance of part-time virtual providers; authorizing the department to

charge reasonable fees to providers to cover the cost of this review; providing evaluation criteria; requiring the department to post on its website information on virtual instruction programs and approved providers; requiring the development of disclosure requirements that must be provided to parents; requiring that the department provide notice to parents of the enrollment period for full-time virtual programs; specifying the funding mechanism and formula for statewide and district virtual education programs; requiring the department to disqualify and remove a provider that receives a school grade of “D” or “F”; providing for a 1-year extension of eligibility to a provider that receives a school grade of “D” under certain circumstances; requiring that the State Board of Education adopt rules related to the approval process for virtual courses and ensure student choice of programs and courses; amending s. 1003.02, F.S.; requiring notice to parents of courses offered through statewide virtual providers, school district virtual instruction programs, and virtual charter schools; amending s. 1003.03, F.S.; including courses from statewide virtual providers and virtual charter schools in the options a school district must consider in meeting class size requirements; amending s. 1003.428, F.S.; requiring that certain students take an online course beginning in the 2011-2012 school year; creating s. 1003.07, F.S.; creating the “Digital Learning Now Act”; providing legislative findings related to the elements to be included in high-quality digital learning; providing that a public school, private school, or home education student is eligible to participate in a state virtual program; providing for customized and accelerated learning; providing that students enrolled in a public school district may register and enroll in an online course identified in the course code directory offered by another district and limiting that registration to courses offered directly by the school districts; requiring the district that offers the course to report the student’s completion for funding purposes; providing that online content may be aligned with Next Generation Sunshine Standards or core curricular standards; authorizing school districts to use online instructors who reside outside the district; amending s. 1008.22, F.S.; requiring that all statewide assessments be available in an online format by a certain date; deleting a requirement that the Commissioner of Education study the cost and student achievement impact of secondary end-of-course assessments; amending s. 1011.61, F.S.; redefining the term “full-time equivalent student” for purposes of full-time and part-time virtual instruction programs and the Florida Virtual School; specifying how each successfully completed credit earned through an online course delivered by a district other than the one in which the student resides shall be calculated for the purpose of full-time equivalency; conforming a cross-reference; amending s. 1011.68, F.S.; conforming cross-references to changes made by the act; amending s. 1012.57, F.S.; revising legislative intent regarding the issuance of adjunct certificates to qualified in-state and out-of-state applicants; providing strategies for the use of adjunct certificateholders; revising the period during which an adjunct teaching certificate is valid; requiring the Office of Program Policy Analysis and Government Accountability or an independent research organization selected by the department to evaluate and submit a report to the Governor and Legislature on the best methods for implementing part-time virtual education in kindergarten through grade 5; providing for severability; amending s. 1013.62, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Budget.

By Senator Flores—

SB 1622—A bill to be entitled

An act relating to family support; amending s. 88.1011, F.S.; revising and defining terms; amending s. 88.1021, F.S.; designating the courts and other entities as the tribunals of the state and designating the Department of Revenue as the support enforcement agency of the state; amending s. 88.1031, F.S.; clarifying that the Uniform Interstate Family Support Act is not the exclusive method to establish or enforce a support order in this state; creating s. 88.1041, F.S.; providing for the application of certain parts of ch. 88, F.S., to a foreign support order, a foreign tribunal, or an obligee, obligor, or child residing in a foreign country; amending s. 88.2011, F.S.; providing a basis for personal jurisdiction over nonresidents in support cases; amending s. 88.2021, F.S.; providing that personal jurisdiction acquired by a tribunal of this state in a proceeding under ch. 88, F.S., or other law of this state relating to a support

order continues under certain circumstances; amending s. 88.2031, F.S.; authorizing a tribunal of this state to serve as an initiating tribunal to forward proceedings to a tribunal of another state and as a responding tribunal for proceedings initiated in another state or foreign country; amending s. 88.2041, F.S.; providing that a tribunal of this state may exercise jurisdiction to establish a support order in a foreign country under certain circumstances; amending s. 88.2051, F.S.; providing that a tribunal of this state may continue its exclusive jurisdiction to modify a child support order only under certain circumstances; amending s. 88.2061, F.S.; providing that a tribunal of this state may continue its jurisdiction to enforce a child support order or money judgment under certain circumstances; amending s. 88.2071, F.S.; providing procedures for determining which child support order is recognized as the controlling support order; requiring the party requesting a determination of the controlling support order to provide a copy of every child support order in effect, the applicable record of payments, and other specified documents; requiring that the parties recognize as the controlling support order any order made pursuant to the procedures of the act; amending s. 88.2081, F.S.; conforming provisions to changes made by the act; amending s. 88.2091, F.S.; requiring a tribunal of this state to credit support amounts collected for a particular period pursuant to a child support order against the amount owed for the same period under any other child support order; creating s. 88.2101, F.S.; authorizing a tribunal of this state exercising personal jurisdiction over a nonresident in a proceeding under the act to receive evidence from outside this state and communicate with a tribunal outside this state; creating s. 88.2111, F.S.; providing that a tribunal of this state issuing a spousal support order consistent with the law of this state has continuing, exclusive jurisdiction to modify the spousal support order throughout the existence of the obligation; prohibiting the tribunal from modifying a spousal support order issued by a tribunal of another state or foreign country having continuing, exclusive jurisdiction over that order; amending ss. 88.3011, 88.3021, and 88.3031, F.S.; conforming provisions to changes made by the act; amending s. 88.3041, F.S.; providing for the duties of the initiating tribunal when forwarding documents to a foreign tribunal; amending s. 88.3051, F.S.; providing for the duties and powers of a responding tribunal when requested to enforce a support order, arrears, or judgment or to modify a support order; amending s. 88.3061, F.S.; conforming provisions to changes made by the act; amending s. 88.3071, F.S.; specifying the duties of a support enforcement agency in this state; amending s. 88.3081, F.S.; authorizing the Governor and Cabinet to determine that a foreign country has established a reciprocal arrangement for child support with this state and take appropriate action for notification of the determination; amending s. 88.3101, F.S.; setting forth the duties of the Department of Revenue as the state information agency; amending s. 88.3111, F.S.; requiring a petitioner to verify a petition filed with the tribunal; amending s. 88.3121, F.S.; revising provisions prohibiting the disclosure of specific identifying information under certain circumstances; requiring that such information be sealed and not be disclosed to the other party or the public; authorizing the tribunal to disclose the information after a hearing; amending ss. 88.3131 and 88.3141, F.S.; conforming provisions to changes made by the act; amending s. 88.3161, F.S.; providing for special rules of evidence and procedures for non-resident parties; providing that a voluntary acknowledgment of paternity is admissible to establish parentage of a child; amending ss. 88.3171 and 88.3181, F.S.; conforming provisions to changes made by the act; amending s. 88.3191, F.S.; providing for the receipt and disbursement of payments; requiring that if the obligor, obligee, and child reside in this state, upon request from the support enforcement agency of this or another state, the support enforcement agency or tribunal direct that the support payment be made to the support enforcement agency in the state in which the obligee is receiving services and send to the obligor’s employer a conforming income-withholding order or an administrative notice of change of payee, reflecting the redirected payments; amending s. 88.4011, F.S.; providing for the establishment of a support order under certain circumstances; providing that the tribunal may issue a temporary child support order under certain circumstances; amending ss. 88.5011, 88.5031, 88.5041, and 88.5051, F.S.; conforming provisions to changes made by the act; amending s. 88.5061, F.S.; providing that an obligor may contest the validity or enforcement of an income-withholding order issued in another state and received directly by an employer in this state by registering the order in a tribunal of this state and

filing a contest to that order; amending ss. 88.5071 and 88.6011, F.S.; conforming provisions to changes made by the act; amending s. 88.6021, F.S.; specifying procedures to register a support order; providing procedures if two or more support orders are in effect; amending s. 88.6031, F.S.; revising provisions to conform to changes made by the act; amending s. 88.6041, F.S.; providing that the law of the state that issues the order governs the law of the case; providing for an exception; amending s. 88.6051, F.S.; specifying the content of the notice of the registration of a support order; amending s. 88.6061, F.S.; providing procedures to contest the validity or enforcement of a registered support order; amending ss. 88.6071, 88.6081, and 88.6101, F.S.; conforming provisions to changes made by the act; amending s. 88.6111, F.S.; providing for modifying a child support order; providing that the law of the state that issued the controlling order governs the duration of the obligation of support; amending s. 88.6121, F.S.; providing that if a child support order issued by a tribunal of this state is modified by a tribunal of another state which assumed jurisdiction pursuant to the Uniform Interstate Family Support Act, a tribunal of this state may enforce the order that was modified only as to arrears and interest accruing before the modification; creating s. 88.6151, F.S.; providing that if a foreign country lacks jurisdiction or refuses to exercise jurisdiction to modify its child support order, a tribunal of this state may assume jurisdiction to modify the child support order and bind all persons subject to the personal jurisdiction of the tribunal whether or not the person consents to modification of the child support order; creating s. 88.6161, F.S.; specifying procedures to register a child support order; repealing s. 88.7011, F.S., relating to proceeding to determine parentage of a child; creating s. 88.7021, F.S.; providing that part VII of ch. 88, F.S., applies only to support proceedings involving a foreign country in which the convention is in force with respect to the United States; creating s. 88.7031, F.S.; designating the Department of Children and Family Services as the agency designated by the United States Central Authority to perform specific functions under the convention in this state; creating s. 88.7041, F.S.; designating the procedures the governmental entity must follow to initiate support proceedings under the convention; creating s. 88.7051, F.S.; authorizing a petitioner to file a direct request in a tribunal of this state to establish or modify a support order or determination of parentage; setting forth procedures for filing direct requests; creating s. 88.7061, F.S.; designating procedures for individuals and support enforcement agencies to register foreign support orders; specifying the documents to be included with the registration request; creating s. 88.7071, F.S.; providing procedures to contest the validity of a foreign support order; creating s. 88.7081, F.S.; providing for the recognition and enforcement of foreign support orders; creating s. 88.7091, F.S.; providing procedures for a tribunal to refuse to recognize or enforce a foreign support order; creating s. 88.7101, F.S.; directing a tribunal of this state to recognize and enforce a foreign support agreement registered in this state; requiring an application or direct request for recognition and enforcement of a foreign support agreement to be accompanied by certain documents; creating s. 88.7111, F.S.; prohibiting a tribunal of this state from modifying a foreign child support order if the obligee remains a resident of the foreign country where the support order was issued; providing exceptions; creating s. 88.7112, F.S.; providing for personal jurisdiction in spousal support proceedings; amending s. 88.9011, F.S.; providing for uniform construction of the act; creating s. 88.9021, F.S.; directing that the act applies to proceedings begun on or after a specified date to establish a support order, determine parentage of a child, or register, recognize, enforce, or modify a prior support order, determination, or agreement, whenever issued or entered; amending ss. 61.13 and 827.06, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Judiciary; Children, Families, and Elder Affairs; and Budget.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Community Affairs; and Senator Bennett—

CS for SB 396—A bill to be entitled

An act relating to building construction and inspection; amending s. 120.80, F.S.; exempting certain rule proceedings relating to the Florida Building Code from certain provisions of ch. 120, F.S.; amending s. 161.053, F.S.; prohibiting the Florida Building Commission from adopting rules that limit any exceptions or exemptions provided for modifications or repairs of existing structures within the limits of an existing foundation under certain circumstances; amending s. 255.252, F.S.; conforming provisions to changes made by the act; amending s. 255.253, F.S.; redefining the term “sustainable building rating” to include the International Green Construction Code; amending ss. 255.257 and 255.2575, F.S.; requiring that state agencies, local governments, and the court system adopt a sustainable building rating system for new and renovated buildings; amending s. 468.8316, F.S.; revising the continuing education requirements for licensed home inspectors; amending s. 468.8319, F.S.; deleting an exemption for certain contractors from the prohibition against performing repairs on a home that has a home inspection report; deleting an obsolete provision; amending s. 468.8323, F.S.; clarifying a provision relating to the contents of a home inspection report; amending s. 468.8324, F.S.; providing alternative criteria for obtaining a home inspector’s license; amending s. 481.329, F.S.; providing that part II of ch. 481, F.S., does not preclude any person who engages in the business of landscape design from submitting such plans to governmental agencies for approval; amending s. 489.103, F.S.; clarifying an exemption from construction contracting regulation relating to Habitat for Humanity; amending s. 489.105, F.S.; adding the term “glass and glazing contractors” to the definition of the term “contractor”; amending ss. 489.107 and 489.141, F.S.; conforming cross-references; amending s. 514.028, F.S.; revising the composition of the advisory review board relating to public swimming pools and bathing facilities; amending s. 527.06, F.S.; prohibiting the Department of Agriculture and Consumer Services and other state agencies from requiring compliance with certain national standards for liquefied petroleum gas tanks unless the department or agencies require compliance with a specified edition of the national standards; providing for repeal under certain circumstances; amending s. 527.21, F.S.; revising the term “propane” for purposes of the Florida Propane Gas Education, Safety, and Research Act, to incorporate changes to certain national standards in a reference thereto; amending s. 553.73, F.S.; revising requirements relating to the Florida Building Code; providing for a supplement to the code; specifying national codes to form the foundation for state building standards and codes; revising how often the Florida Building Commission may approve technical amendments to the code; requiring proposed amendments to base codes to provide justifications; revising requirements relating to the installation of mechanical equipment on a roof; amending s. 553.74, F.S.; revising requirements for selecting a member of the Florida Building Commission; amending s. 553.842, F.S.; providing for the approval of certain windstorm products; amending s. 553.909, F.S.; revising the requirements for certain pool-related equipment; amending s. 627.711, F.S.; revising requirements relating to home inspectors conducting hurricane mitigation inspections; providing an effective date.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES — FINAL ACTION

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has adopted SCR 1202.

Robert L. “Bob” Ward, Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 8 was corrected and approved.

CO-INTRODUCERS

Senators Evers—SB 196, SB 998; Garcia—SB 234, SB 1972; Margolis—SB 664; Rich—SB 730; Richter—SB 1254; Sachs—SB 1726; Smith—SB 664; Storms—SB 1320, SB 1350

RECESS

On motion by Senator Thrasher, the Senate recessed at 12:25 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Thursday, March 10 or upon call of the President.

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